



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 18, 2011

Conference Committee Report 209

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 209, a bill for an Act relating to public funding and regulatory matters by making appropriations, providing for updated Code references to the Internal Revenue Code, increasing the state earned income tax credit, and including effective date and retroactive applicability provisions, respectfully make the following report:

1. That the House recedes from its amendment, S=3041.
2. That Senate File 209, as amended, passed, and reprinted by the Senate, is amended to read as follows:
 - #1. By striking everything after the enacting clause and inserting:

<DIVISION I

2011 BONUS DEPRECIATION COUPLING

Section 1. Section 422.7, subsection 39A, unnumbered paragraph 1, as enacted by 2011 Iowa Acts, Senate File 512, section 18, is amended to read as follows:

The additional first-year depreciation allowance authorized in section 168(k) of the Internal Revenue Code, as enacted by Pub. L. No. 110=185, section 103, Pub. L. No. 111=5,



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section 1201, Pub. L. No. 111=240, section 2022, and Pub. L. No. 111=312, section 401, does not apply in computing net income for state tax purposes for tax years beginning before January 1, 2011. If the taxpayer has taken the additional first=year depreciation allowance for purposes of computing federal adjusted gross income, then the taxpayer shall make the following adjustments to federal adjusted gross income when computing net income for state tax purposes:

Sec. 2. Section 422.7, subsection 39B, unnumbered paragraph 1, as enacted by 2011 Iowa Acts, Senate File 512, section 18, is amended to read as follows:

The additional first=year depreciation allowance authorized in section 168(n) of the Internal Revenue Code, as enacted by Pub. L. No. 110=343, section 710, does not apply in computing net income for state tax purposes for tax years beginning before January 1, 2011. If the taxpayer has taken the additional first=year depreciation allowance for purposes of computing federal adjusted gross income, then the taxpayer shall make the following adjustments to federal adjusted gross income when computing net income for state tax purposes:

Sec. 3. Section 422.35, subsection 19A, unnumbered



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paragraph 1, as enacted by 2011 Iowa Acts, Senate File 512, section 21, is amended to read as follows:

The additional first=year depreciation allowance authorized in section 168(k) of the Internal Revenue Code, as enacted by Pub. L. No. 110=185, section 103, Pub. L. No. 111=5, section 1201, Pub. L. No. 111=240, section 2022, and Pub. L. No. 111=312, section 401, does not apply in computing net income for state tax purposes for tax years beginning before January 1, 2011. If the taxpayer has taken the additional first=year depreciation allowance for purposes of computing federal taxable income, then the taxpayer shall make the following adjustments to federal taxable income when computing net income for state tax purposes:

Sec. 4. Section 422.35, subsection 19B, unnumbered paragraph 1, as enacted by 2011 Iowa Acts, Senate File 512, section 21, is amended to read as follows:

The additional first=year depreciation allowance authorized in section 168(n) of the Internal Revenue Code, as enacted by Pub. L. No. 110=343, section 710, does not apply in computing net income for state tax purposes for tax years beginning before January 1, 2011. If the taxpayer has taken the additional first=year depreciation allowance for purposes of computing federal taxable income, then the taxpayer shall make the following adjustments to federal taxable income when computing net income for state tax purposes:

Sec. 5. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 6. RETROACTIVE APPLICABILITY. The following provision or provisions of this division of this Act apply retroactively to January 1, 2008, for tax years ending on or after that date:

1. The section of this Act amending section 422.7, subsections 39A and 39B, as enacted by 2011 Iowa Acts, Senate File 512, section 18.

2. The section of this Act amending section 422.35, subsections 19A and 19B, as enacted by 2011 Iowa Acts, Senate File 512, section 21.

DIVISION II

EARNED INCOME TAX CREDIT

Sec. 7. Section 422.12B, subsection 1, Code 2011, is amended to read as follows:

1. The taxes imposed under this division less the credits allowed under section 422.12 shall be reduced by an earned income credit equal to ~~seven~~ ten percent of the federal earned income credit provided in section 32 of the Internal Revenue Code. Any credit in excess of the tax liability is refundable.

Sec. 8. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to January 1, 2011, for tax years beginning on or after that date.

DIVISION III

SUPPLEMENTAL APPROPRIATIONS

Sec. 9. DEPARTMENT OF EDUCATION ==== COMMUNITY COLLEGES. After applying the reductions made pursuant to 2010 Iowa Acts, chapter 1193, section 27, to the appropriations made for the following designated purposes, there is appropriated from the general fund of the state to the department of



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education for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the following amounts, or so much thereof as is necessary, to supplement the appropriations made for the following designated purposes:

1. MERGED AREA I ==== NORTHEAST IOWA COMMUNITY COLLEGE
For general state financial aid for merged area I, in 2010 Iowa Acts, chapter 1183, section 6, subsection 19, and reflecting a corrective addition of \$4,474 in the overall amount appropriated for the merged area's general state financial aid for the fiscal year:
..... \$ 298,883
2. MERGED AREA II ==== NORTH IOWA AREA COMMUNITY COLLEGE
For general state financial aid for merged area II, in 2010 Iowa Acts, chapter 1183, section 6, subsection 20, and reflecting a corrective reduction of \$28,512 in the overall amount appropriated for the merged area's general state financial aid for the fiscal year:
..... \$ 286,545
3. MERGED AREA III ==== IOWA LAKES COMMUNITY COLLEGE
For general state financial aid for merged area III, in 2010 Iowa Acts, chapter 1183, section 6, subsection 21, and reflecting a corrective reduction of \$32,233 in the overall amount appropriated for the merged area's general state financial aid for the fiscal year:
..... \$ 257,873
4. MERGED AREA IV ==== NORTHWEST COMMUNITY COLLEGE
For general state financial aid for merged area IV, in 2010 Iowa Acts, chapter 1183, section 6, subsection 22, and reflecting a corrective reduction of \$13,939 in the overall amount appropriated for the merged area's general state financial aid for the fiscal year:
..... \$ 128,526
5. MERGED AREA V ==== IOWA CENTRAL COMMUNITY COLLEGE
For general state financial aid for merged area V, in 2010 Iowa Acts, chapter 1183, section 6, subsection 23, and reflecting a corrective addition of \$18,745 in the overall amount appropriated for the merged area's general state financial aid for the fiscal year:
..... \$ 344,251
6. MERGED AREA VI == IOWA VALLEY COMMUNITY COLLEGE DISTRICT
For general state financial aid for merged area VI, in 2010 Iowa Acts, chapter 1183, section 6, subsection 24, and reflecting a corrective reduction of \$25,507 in the overall amount appropriated for the merged area's general state financial aid for the fiscal year:
..... \$ 251,942
7. MERGED AREA VII ==== HAWKEYE COMMUNITY COLLEGE
For general state financial aid for merged area VII, in 2010 Iowa Acts, chapter 1183, section 6, subsection 25, and reflecting a corrective reduction of \$11,837 in the overall amount appropriated for the merged area's general state financial aid for the fiscal year:
..... \$ 401,298
8. MERGED AREA IX ==== EASTERN IOWA COMMUNITY COLLEGE
For general state financial aid for merged area IX, in 2010 Iowa Acts, chapter 1183, section 6, subsection 26, and reflecting a corrective reduction of \$4,921 in the overall amount appropriated for the merged area's general state financial aid for the fiscal year:



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..... \$ 508,961

9. MERGED AREA X ==== KIRKWOOD COMMUNITY COLLEGE
For general state financial aid for merged area X, in 2010 Iowa Acts, chapter 1183, section 6, subsection 27, and reflecting a corrective addition of \$55,034 in the overall amount appropriated for the merged area's general state financial aid for the fiscal year:

..... \$ 959,044

10. MERGED AREA XI ==== DES MOINES AREA COMMUNITY COLLEGE
For general state financial aid for merged area XI, in 2010 Iowa Acts, chapter 1183, section 6, subsection 28, and reflecting a corrective addition of \$106,395 in the overall amount appropriated for the merged area's general state financial aid for the fiscal year:

..... \$ 1,016,636

11. MERGED AREA XII ==== WESTERN IOWA TECH COMMUNITY COLLEGE
For general state financial aid for merged area XII, in 2010 Iowa Acts, chapter 1183, section 6, subsection 29, and reflecting a corrective reduction of \$8,974 in the overall amount appropriated for the merged area's general state financial aid for the fiscal year:

..... \$ 328,413

12. MERGED AREA XIII ==== IOWA WESTERN COMMUNITY COLLEGE
For general state financial aid for merged area XIII, in 2010 Iowa Acts, chapter 1183, section 6, subsection 30, and reflecting a corrective addition of \$9,196 in the overall amount appropriated for the merged area's general state financial aid for the fiscal year:

..... \$ 355,950

13. MERGED AREA XIV ==== SOUTHWESTERN COMMUNITY COLLEGE
For general state financial aid for merged area XIV, in 2010 Iowa Acts, chapter 1183, section 6, subsection 31, and reflecting a corrective reduction of \$12,340 in the overall amount appropriated for the merged area's general state financial aid for the fiscal year:

..... \$ 132,279

14. MERGED AREA XV ==== INDIAN HILLS COMMUNITY COLLEGE
For general state financial aid for merged area XV, in 2010 Iowa Acts, chapter 1183, section 6, subsection 32, and reflecting a corrective reduction of \$43,717 in the overall amount appropriated for the merged area's general state financial aid for the fiscal year:

..... \$ 409,622

15. MERGED AREA XVI ==== SOUTHEASTERN COMMUNITY COLLEGE
For general state financial aid for merged area XVI, in 2010 Iowa Acts, chapter 1183, section 6, subsection 33, and reflecting a corrective reduction of \$11,864 in the overall amount appropriated for the merged area's general state financial aid for the fiscal year:

..... \$ 248,098

16. COMMUNITY COLLEGE SALARIES. For distribution to community colleges to supplement faculty salaries, in 2010 Iowa Acts, chapter 1183, section 8:

..... \$ 20,415

Sec. 10. DEPARTMENT OF CORRECTIONS. After applying the reductions made pursuant to 2010 Iowa Acts, chapter 1193, section 27, and any transfers made pursuant to 2010 Iowa Acts,



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chapter 1193, section 28, to the appropriations made for the following designated purposes, there is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the following amounts, or so much thereof as is necessary, to supplement the appropriations made for the following designated purposes:

1. For the operation of adult correctional institutions in 2010 Iowa Acts, chapter 1190, section 3, subsection 1, to be allocated as follows:

a. For the operation of the Fort Madison correctional facility in 2010 Iowa Acts, chapter 1190, section 3, subsection 1, paragraph "a":

..... \$ 1,920,083

b. For the operation of the Anamosa correctional facility in 2010 Iowa Acts, chapter 1190, section 3, subsection 1, paragraph "b":

..... \$ 1,293,060

c. For the operation of the Oakdale correctional facility in 2010 Iowa Acts, chapter 1190, section 3, subsection 1, paragraph "c":

..... \$ 2,385,141

d. For the operation of the Newton correctional facility in 2010 Iowa Acts, chapter 1190, section 3, subsection 1, paragraph "d":

..... \$ 1,101,460

e. For the operation of the Mount Pleasant correctional facility in 2010 Iowa Acts, chapter 1190, section 3, subsection 1, paragraph "e":

..... \$ 1,359,865

f. For the operation of the Rockwell City correctional facility in 2010 Iowa Acts, chapter 1190, section 3, subsection 1, paragraph "f":

..... \$ 412,008

g. For the operation of the Clarinda correctional facility in 2010 Iowa Acts, chapter 1190, section 3, subsection 1, paragraph "g":

..... \$ 1,180,617

h. For the operation of the Mitchellville correctional facility in 2010 Iowa Acts, chapter 1190, section 3, subsection 1, paragraph "h":

..... \$ 504,674

i. For the operation of the Fort Dodge correctional facility in 2010 Iowa Acts, chapter 1190, section 3, subsection 1, paragraph "i":

..... \$ 1,162,060

2. For general administration in 2010 Iowa Acts, chapter 1190, section 4, subsection 1, paragraph "a":

..... \$ 110,202

3. For the judicial district departments of correctional services in 2010 Iowa Acts, chapter 1190, section 5, subsection 1, to be allocated as follows:

a. For the first judicial district department of correctional services in 2010 Iowa Acts, chapter 1190, section 5, subsection 1, paragraph "a":

..... \$ 393,353



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b. For the second judicial district department of correctional services in 2010 Iowa Acts, chapter 1190, section 5, subsection 1, paragraph "b":

..... \$ 360,912

c. For the third judicial district department of correctional services in 2010 Iowa Acts, chapter 1190, section 5, subsection 1, paragraph "c":

..... \$ 221,793

d. For the fourth judicial district department of correctional services in 2010 Iowa Acts, chapter 1190, section 5, subsection 1, paragraph "d":

..... \$ 169,067

e. For the fifth judicial district department of correctional services in 2010 Iowa Acts, chapter 1190, section 5, subsection 1, paragraph "e":

..... \$ 723,637

f. For the sixth judicial district department of correctional services in 2010 Iowa Acts, chapter 1190, section 5, subsection 1, paragraph "f":

..... \$ 460,329

g. For the seventh judicial district department of correctional services in 2010 Iowa Acts, chapter 1190, section 5, subsection 1, paragraph "g":

..... \$ 265,431

h. For the eighth judicial district department of correctional services in 2010 Iowa Acts, chapter 1190, section 5, subsection 1, paragraph "h":

..... \$ 177,991

Sec. 11. STATE PUBLIC DEFENDER. After applying the reductions made pursuant to 2010 Iowa Acts, chapter 1193, section 27, to the appropriations made for the following designated purposes, there is appropriated from the general fund of the state to the office of the state public defender of the department of inspections and appeals for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the following amounts, or so much thereof as is necessary, to supplement the appropriations made for the following designated purposes:

1. For the office of the state public defender, in 2010 Iowa Acts, chapter 1190, section 10, subsection 1:

..... \$ 2,551,500

2. For the fees of court-appointed attorneys for indigent adults and juveniles, in accordance with section 232.141 and



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chapter 815, in 2010 Iowa Acts, chapter 1190, section 10,
subsection 2:

..... \$ 16,000,000

Sec. 12. DEPARTMENT OF PUBLIC SAFETY. After applying the
reductions made pursuant to 2010 Iowa Acts, chapter 1193,
section 27, and any transfers made pursuant to 2010 Iowa Acts,



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chapter 1193, section 28, to the appropriations made for the following designated purposes, there is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 2010, and ending



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June 30, 2011, the following amounts, or so much thereof as is necessary, to supplement the appropriations made for the following designated purposes:

1. For the department's administrative functions in 2010 Iowa Acts, chapter 1190, section 14, subsection 1:
..... \$ 275,000
2. For the division of criminal investigation in 2010 Iowa Acts, chapter 1190, section 14, subsection 2:
..... \$ 325,000
3. For the division of narcotics enforcement in 2010 Iowa Acts, chapter 1190, section 14, subsection 4, paragraph "a":
..... \$ 225,000
4. For the division of state fire marshal in 2010 Iowa Acts,



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chapter 1190, section 14, subsection 5:

..... \$ 130,000

5. For the division of state patrol in 2010 Iowa Acts,
chapter 1190, section 14, subsection 6:

..... \$ 2,000,000

Sec. 13. DEPARTMENT OF PUBLIC HEALTH. After applying the reductions made pursuant to 2010 Iowa Acts, chapter 1193, section 27, and any transfers made pursuant to 2010 Iowa Acts, chapter 1193, section 28, to the appropriations made for the following designated purposes, there is appropriated from the general fund of the state to the department of public health for the fiscal year beginning July 1, 2010, and ending



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June 30, 2011, the following amounts, or so much thereof as is necessary, to supplement the appropriations made for the following designated purposes:

1. For addictive disorders, in 2010 Iowa Acts, chapter 1192, section 2, subsection 1:
..... \$ 675,896
2. For healthy children and families, in 2010 Iowa Acts,



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chapter 1192, section 2, subsection 2:

..... \$ 68,192

3. For community capacity, in 2010 Iowa Acts, chapter 1192, section 2, subsection 4:

..... \$ 13,275

4. For healthy aging, in 2010 Iowa Acts, chapter 1192, section 2, subsection 5:

..... \$ 403,500

5. For infectious diseases, in 2010 Iowa Acts, chapter 1192, section 2, subsection 7:

..... \$ 51,688

Sec. 14. DEPARTMENT OF HUMAN SERVICES ===

APPROPRIATIONS. After applying the reductions made pursuant to 2010 Iowa Acts, chapter 1193, section 27, and any transfers made pursuant to 2010 Iowa Acts, chapter 1193, section 28, to the appropriations made for the following designated purposes, there is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the following amounts, or so much thereof as is necessary, to supplement the appropriations made for the following designated purposes:

1. For the state mental health institute at Cherokee, in 2010 Iowa Acts, chapter 1192, section 24, subsection 1, paragraph "a":

..... \$ 784,607

2. For the state mental health institute at Clarinda, in 2010 Iowa Acts, chapter 1192, section 24, subsection 1, paragraph "b":

..... \$ 623,793

3. For the state mental health institute at Independence, in 2010 Iowa Acts, chapter 1192, section 24, subsection 1, paragraph "c":

..... \$ 1,235,916

Sec. 15. 2010 Iowa Acts, chapter 1193, section 84, subsection 2, unnumbered paragraph 1, is amended to read as follows:

For the duties of the office of the state debt coordinator established in 2010 Iowa Acts, Senate File 2383, if enacted, including salaries, support, maintenance, services, advertising, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 300,000

..... F

3.00

Beginning on the effective date of this division of this 2011 Iowa Act, moneys appropriated in this subsection that remain unencumbered or unobligated shall be used by the department of revenue for the administrative costs associated with state tax processing.

Sec. 16. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION IV

CORRECTIVE PROVISIONS

Sec. 17. 2010 Iowa Acts, chapter 1193, section 199, is amended to read as follows:



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SEC. 199. TERRACE HILL ==== GENERAL FUND ==== DEPARTMENT OF ADMINISTRATIVE SERVICES. There is appropriated from the general fund of the state to the department of administrative services for the fiscal year beginning July 1, ~~2009~~ 2010, and ending June 30, ~~2010~~ 2011, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes necessary for the operation of Terrace Hill, and for not more than the following full-time equivalent positions:

.....	\$	263,329
.....	FTEs	6.38

Sec. 18. EFFECTIVE UPON ENACTMENT AND RETROACTIVE APPLICABILITY. This division of this Act, being deemed of immediate importance, takes effect upon enactment. The section of this division of this Act amending 2010 Iowa Acts, chapter 1193, section 199, applies retroactively to April 29, 2010.

DIVISION V

IOWA COMMUNICATIONS NETWORK

Sec. 19. IOWA COMMUNICATIONS NETWORK ==== AUTHORIZATION FOR CONTRACTS. Pursuant to section 8D.11, subsection 1, paragraph "a", the general assembly authorizes the Iowa telecommunications and technology commission to enter into contracts in excess of the contract limitation amount established in section 8D.11, subsection 1, paragraph "c", for purposes of the commission's project associated with the federal grant awarded to the commission under the federal broadband technology opportunities program. This authorization applies for the duration of the commission's project and to all affected contracts associated with the project and project funding.

Sec. 20. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION VI

ADULT MENTAL HEALTH AND INTELLECTUAL AND OTHER DEVELOPMENTAL
DISABILITIES SERVICES SYSTEM REFORM

Sec. 21. ADULT MENTAL HEALTH AND INTELLECTUAL AND OTHER DEVELOPMENTAL DISABILITIES SERVICES SYSTEM REFORM == APPROPRIATION.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

To be credited to the property tax relief fund created in chapter 426B and for distribution in accordance with appropriations made from the property tax relief fund enacted by the Eighty-fourth General Assembly, 2011 Session, pursuant to recommendations by the general assembly's committees on appropriations, to address needs in the publicly funded adult mental health and intellectual and other developmental disability services system, which may include but are not limited to eliminating county waiting lists or providing risk pool funding:

.....	\$	20,000,000
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2. It is the intent of the general assembly to enact legislation providing for the reform of the publicly funded adult mental health and intellectual and other developmental



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disability services system and to implement a new services system structure by July 1, 2013, when the repeals contained in this division of this Act take effect.

Sec. 22. Section 331.424A, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 6. This section is repealed July 1, 2013.

Sec. 23. Section 331.438, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 5. This section is repealed July 1, 2013.

Sec. 24. Section 331.439, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 10. This section is repealed July 1, 2013.

Sec. 25. Section 331.440, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 7. This section is repealed July 1, 2013.

Sec. 26. NEW SECTION. 426B.6 Future repeal.

This chapter is repealed July 1, 2013.

Sec. 27. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION VII

TAXPAYERS TRUST FUND

Sec. 28. Section 8.54, subsection 5, Code 2011, is amended to read as follows:

5. For fiscal years in which it is anticipated that the distribution of moneys from the Iowa economic emergency fund in accordance with section 8.55, subsection 2, ~~results~~ will result in moneys being transferred to the general fund, the original state general fund expenditure limitation amount provided for in subsection 3 shall be readjusted to include the amount of moneys ~~which are so~~ anticipated to be so transferred.

Sec. 29. Section 8.55, subsection 2, Code 2011, is amended to read as follows:

2. a. The maximum balance of the fund is the amount equal to two and one-half percent of the adjusted revenue estimate for the fiscal year. If the amount of moneys in the Iowa economic emergency fund is equal to the maximum balance, moneys in excess of this amount shall be ~~transferred to the general fund.~~ distributed as follows:

(1) The first sixty million dollars of the difference between the actual net revenue for the general fund of the state for the fiscal year and the adjusted revenue estimate for the fiscal year shall be transferred to the taxpayers trust fund.

(2) The remainder of the excess, if any, shall be transferred to the general fund of the state.

b. Notwithstanding paragraph "a", any moneys in excess of the maximum balance in the economic emergency fund after the distribution of the surplus in the general fund of the state at the conclusion of each fiscal year shall not be ~~transferred to the general fund of the state distributed as provided in paragraph "a"~~ but shall be transferred to the senior living trust fund. The total amount appropriated, reverted, or transferred, in the aggregate, under this paragraph,



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section 8.57, subsection 2, and any other law providing for an appropriation or reversion or transfer of an appropriation to the credit of the senior living trust fund, for all fiscal years beginning on or after July 1, 2004, shall not exceed the amount specified in section 8.57, subsection 2, paragraph "c".

Sec. 30. NEW SECTION. 8.57E Taxpayers trust fund.

1. A taxpayers trust fund is created. The fund shall be separate from the general fund of the state and the balance in the fund shall not be considered part of the balance of the general fund of the state. The moneys credited to the fund are not subject to section 8.33 and shall not be transferred, used, obligated, appropriated, or otherwise encumbered except as provided in this section.

2. Moneys in the taxpayers trust fund shall only be used pursuant to appropriations made by the general assembly for tax relief.

3. a. Moneys in the taxpayer's trust fund may be used for cash flow purposes during a fiscal year provided that any moneys so allocated are returned to the fund by the end of that fiscal year.

b. Except as provided in section 8.58, the taxpayers trust fund shall be considered a special account for the purposes of section 8.53 in determining the cash position of the general fund of the state for the payment of state obligations.

4. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys deposited in the taxpayers trust fund shall be credited to the fund.

Sec. 31. Section 8.58, Code 2011, is amended to read as follows:

8.58 Exemption from automatic application.

1. To the extent that moneys appropriated under section 8.57 do not result in moneys being credited to the general fund under section 8.55, subsection 2, moneys appropriated under section 8.57 and moneys contained in the cash reserve fund, rebuild Iowa infrastructure fund, environment first fund, ~~and~~ Iowa economic emergency fund, and taxpayers trust fund shall not be considered in the application of any formula, index, or other statutory triggering mechanism which would affect appropriations, payments, or taxation rates, contrary provisions of the Code notwithstanding.

2. To the extent that moneys appropriated under section 8.57 do not result in moneys being credited to the general fund under section 8.55, subsection 2, moneys appropriated under section 8.57 and moneys contained in the cash reserve fund, rebuild Iowa infrastructure fund, environment first fund, ~~and~~ Iowa economic emergency fund, and taxpayers trust fund shall not be considered by an arbitrator or in negotiations under chapter 20.

Sec. 33. APPLICABILITY. The amendments in this division of this Act to sections 8.54 and 8.55 apply to moneys attributed to fiscal years beginning on or after July 1, 2011.>

#2. Title page, by striking lines 2 and 3 and inserting <making appropriations, providing for certain additional depreciation allowances, increasing the state earned>

ON THE PART OF THE SENATE:



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JOE BOLKCOM, CHAIRPERSON

ROBERT E. DVORSKY

PAM JOCHUM

STEVE KETTERING

ON THE PART OF THE HOUSE:

BRAD ZAUN

J. SCOTT RAECKER, CHAIRPERSON

ERIK HELLAND

DAVE JACOBY

TYLER OLSON

NICK WAGNER

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House Amendment 1658

PAG LIN

1 1 Amend Senate File 517, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. By striking everything after the enacting clause
1 4 and inserting:
1 5 <DIVISION I
1 6 FY 2011=2012
1 7 Section 1. DEPARTMENT OF CULTURAL AFFAIRS. There
1 8 is appropriated from the general fund of the state to
1 9 the department of cultural affairs for the fiscal year
1 10 beginning July 1, 2011, and ending June 30, 2012, the
1 11 following amounts, or so much thereof as is necessary,
1 12 to be used for the purposes designated:
1 13 1. ADMINISTRATION
1 14 a. For salaries, support, maintenance,
1 15 miscellaneous purposes, and for not more than the
1 16 following full-time equivalent positions for the
1 17 department:
1 18 \$ 171,813
1 19 FTEs 69.87
1 20 b. The department of cultural affairs shall
1 21 coordinate activities with the tourism office of
1 22 the department of economic development to promote
1 23 attendance at the state historical building and at this
1 24 state's historic sites.
1 25 c. Full-time equivalent positions authorized under
1 26 this subsection shall be funded, in full or in part,
1 27 using moneys appropriated under this subsection and
1 28 subsections 2, 3, 4, 5, 6, and 8.
1 29 2. HISTORICAL DIVISION
1 30 For the support of the historical division:
1 31 \$ 2,267,701
1 32 3. HISTORIC SITES
1 33 For the administration and support of historic
1 34 sites:
1 35 \$ 426,398
1 36 4. ARTS DIVISION
1 37 For the support of the arts division:
1 38 \$ 933,764
1 39 5. GREAT PLACES
1 40 For the great places program:
1 41 \$ 150,000
1 42 6. ARCHIVE IOWA GOVERNORS' RECORDS
1 43 For archiving the records of Iowa governors:
1 44 \$ 5,000
1 45 7. RECORDS CENTER RENT
1 46 For payment of rent for the state records center:
1 47 \$ 227,243
1 48 8. BATTLE FLAGS
1 49 For continuation of the project recommended by the
1 50 Iowa battle flag advisory committee to stabilize the



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2 1 condition of the battle flag collection:
2 2 \$ 5,000
2 3 Sec. 2. GOALS AND ACCOUNTABILITY ==== ECONOMIC
2 4 DEVELOPMENT.
2 5 1. For the fiscal year beginning July 1, 2011, the
2 6 goals for the department of economic development shall
2 7 be to expand and stimulate the state economy, increase
2 8 the wealth of Iowans, and increase the population of
2 9 the state.
2 10 2. To achieve the goals in subsection 1, the
2 11 department of economic development shall do all of the
2 12 following for the fiscal year beginning July 1, 2011:
2 13 a. Concentrate its efforts on programs and
2 14 activities that result in commercially viable products
2 15 and services.
2 16 b. Adopt practices and services consistent with
2 17 free market, private sector philosophies.
2 18 c. Ensure economic growth and development
2 19 throughout the state.
2 20 d. Work with businesses and communities to
2 21 continually improve the economic development climate
2 22 along with the economic well-being and quality of life
2 23 for Iowans.
2 24 e. Coordinate with other state agencies to
2 25 ensure that they are attentive to the needs of an
2 26 entrepreneurial culture.
2 27 f. Establish a strong and aggressive marketing
2 28 image to showcase Iowa's workforce, existing industry,
2 29 and potential. A priority shall be placed on
2 30 recruiting new businesses, business expansion, and
2 31 retaining existing Iowa businesses. Emphasis shall be
2 32 placed on entrepreneurial development through helping
2 33 entrepreneurs secure capital, and developing networks
2 34 and a business climate conducive to entrepreneurs and
2 35 small businesses.
2 36 g. Encourage the development of communities and
2 37 quality of life to foster economic growth.
2 38 h. Prepare communities for future growth and
2 39 development through development, expansion, and
2 40 modernization of infrastructure.
2 41 i. Develop public-private partnerships with
2 42 Iowa businesses in the tourism industry, Iowa tour
2 43 groups, Iowa tourism organizations, and political
2 44 subdivisions in this state to assist in the development
2 45 of advertising efforts.
2 46 j. Develop, to the fullest extent possible,
2 47 cooperative efforts for advertising with contributions
2 48 from other sources.
2 49 Sec. 3. DEPARTMENT OF ECONOMIC DEVELOPMENT.
2 50 1. APPROPRIATION



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3 1 There is appropriated from the general fund of the
3 2 state to the department of economic development for the
3 3 fiscal year beginning July 1, 2011, and ending June
3 4 30, 2012, the following amounts, or so much thereof as
3 5 is necessary, to be used for the purposes designated
3 6 in subsection 2, and for not more than the following
3 7 full-time equivalent positions:
3 8 \$ 9,928,058
3 9 FTEs 149.00
3 10 2. DESIGNATED PURPOSES
3 11 a. For salaries, support, miscellaneous purposes,
3 12 programs, and the maintenance of an administration
3 13 division, a business development division, and a
3 14 community development division.
3 15 b. The full-time equivalent positions authorized
3 16 under this section shall be funded, in whole or in
3 17 part, by the moneys appropriated under subsection 1 or
3 18 by other moneys received by the department, including
3 19 certain federal moneys.
3 20 c. For transfer to the Iowa state commission grant
3 21 program.
3 22 d. For business development operations and
3 23 programs, the film office, international trade, export
3 24 assistance, workforce recruitment, and the partner
3 25 state program.
3 26 e. For transfer to the strategic investment fund.
3 27 f. For community economic development programs,
3 28 tourism operations, community assistance, plans
3 29 for Iowa green corps and summer youth programs,
3 30 the mainstreet and rural mainstreet programs, the
3 31 school-to-career program, the community development
3 32 block grant, and housing and shelter-related programs.
3 33 g. For achieving the goals and accountability,
3 34 fulfilling the requirements, and doing all other things
3 35 required under this Act.
3 36 3. NONREVERSION
3 37 Notwithstanding section 8.33, moneys appropriated in
3 38 subsection 1 that remain unencumbered or unobligated
3 39 at the close of the fiscal year shall not revert but
3 40 shall remain available for expenditure for the purposes
3 41 designated in subsection 2 until the close of the
3 42 succeeding fiscal year.
3 43 4. FINANCIAL ASSISTANCE RESTRICTIONS
3 44 a. A business creating jobs with economic
3 45 development assistance through moneys appropriated in
3 46 this section shall be subject to contract provisions
3 47 stating that new and retained jobs shall be filled
3 48 by individuals who are citizens of the United States
3 49 who reside within the United States or any person
3 50 authorized to work in the United States pursuant to



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4 1 federal law, including legal resident aliens in the
4 2 United States.
4 3 b. Any vendor who receives such public moneys shall
4 4 adhere to such contract provisions and provide periodic
4 5 assurances as the state shall require that the jobs
4 6 are filled solely by citizens of the United States
4 7 who reside within the United States or any person
4 8 authorized to work in the United States pursuant to
4 9 federal law, including legal resident aliens in the
4 10 United States.
4 11 c. A business that receives financial assistance
4 12 from the department from moneys appropriated in this
4 13 Act shall only employ individuals legally authorized
4 14 to work in this state. In addition to all other
4 15 applicable penalties provided by current law, all or
4 16 a portion of the assistance received by a business
4 17 which is found to knowingly employ individuals not
4 18 legally authorized to work in this state is subject to
4 19 recapture by the department.
4 20 5. USES OF APPROPRIATIONS
4 21 a. From the moneys appropriated in this section,
4 22 the department may provide financial assistance in the
4 23 form of a grant to a community economic development
4 24 entity for conducting a local workforce recruitment
4 25 effort designed to recruit former citizens of the state
4 26 and former students at colleges and universities in the
4 27 state to meet the needs of local employers.
4 28 b. From the moneys appropriated in this section,
4 29 the department may provide financial assistance to
4 30 early stage industry companies being established by
4 31 women entrepreneurs.
4 32 c. From the moneys appropriated in this section,
4 33 the department may provide financial assistance in the
4 34 form of grants, loans, or forgivable loans for advanced
4 35 research and commercialization projects involving
4 36 value-added agriculture, advanced technology, or
4 37 biotechnology.
4 38 6. WORLD FOOD PRIZE AWARD
4 39 a. Notwithstanding the standing limited
4 40 appropriation provided under section 15.368, subsection
4 41 1, an appropriation from the general fund of the state
4 42 to the department of economic development for the
4 43 fiscal year beginning July 1, 2011, and ending June 30,
4 44 2012, shall not be made for purposes of the world food
4 45 prize.
4 46 b. It is the intent of the general assembly to
4 47 reconsider in a future fiscal year the allocation of
4 48 moneys for the support of the world food prize award.
4 49 Sec. 4. VISION IOWA PROGRAM ==== FTE
4 50 AUTHORIZATION. For purposes of administrative duties



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5 1 associated with the vision Iowa program, the department
5 2 of economic development is authorized an additional
5 3 2.25 FTEs above those otherwise authorized in this Act.

5 4 Sec. 5. INSURANCE ECONOMIC DEVELOPMENT. From
5 5 the moneys collected by the division of insurance in
5 6 excess of the anticipated gross revenues under section
5 7 505.7, subsection 3, during the fiscal year beginning
5 8 July 1, 2011, \$100,000 shall be transferred to the
5 9 department of economic development for insurance
5 10 economic development and international insurance
5 11 economic development.

5 12 Sec. 6. COMMUNITY DEVELOPMENT LOAN
5 13 FUND. Notwithstanding section 15E.120, subsection
5 14 5, there is appropriated from the Iowa community
5 15 development loan fund all moneys available during the
5 16 fiscal year beginning July 1, 2011, and ending June 30,
5 17 2012, to the department of economic development for
5 18 purposes of the community development program.

5 19 Sec. 7. WORKFORCE DEVELOPMENT FUND. There is
5 20 appropriated from the workforce development fund
5 21 account created in section 15.342A to the workforce
5 22 development fund created in section 15.343 for the
5 23 fiscal year beginning July 1, 2011, and ending June
5 24 30, 2012, the following amount, for purposes of the
5 25 workforce development fund, and for not more than the
5 26 following full-time equivalent positions:

5 27	\$ 4,000,000
5 28	FTEs 4.00

5 29 Sec. 8. WORKFORCE DEVELOPMENT ADMINISTRATION. From
5 30 moneys appropriated or transferred to or receipts
5 31 credited to the workforce development fund created in
5 32 section 15.343, up to \$400,000 for the fiscal year
5 33 beginning July 1, 2011, and ending June 30, 2012, are
5 34 appropriated to the department of economic development
5 35 for the administration of workforce development
5 36 activities including salaries, support, maintenance,
5 37 and miscellaneous purposes, and for not more than the
5 38 following full-time equivalent positions:

5 39	FTEs 4.00
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5 40 Sec. 9. JOB TRAINING FUND. Notwithstanding section
5 41 15.251, all moneys in the job training fund on July 1,
5 42 2011, and any moneys appropriated or credited to the
5 43 fund during the fiscal year beginning July 1, 2011,
5 44 shall be transferred to the workforce development fund
5 45 established pursuant to section 15.343.

5 46 Sec. 10. IOWA STATE UNIVERSITY.

5 47 1. There is appropriated from the general fund
5 48 of the state to Iowa state university of science
5 49 and technology for the fiscal year beginning July
5 50 1, 2011, and ending June 30, 2012, the following



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6 1 amount, or so much thereof as is necessary, to be used
6 2 for small business development centers, the science
6 3 and technology research park, and the institute for
6 4 physical research and technology, and for not more than
6 5 the following full-time equivalent positions:
6 6 \$ 935,233
6 7 FTEs 56.63
6 8 2. Of the moneys appropriated in subsection 1,
6 9 Iowa state university of science and technology shall
6 10 allocate at least \$935,233 for purposes of funding
6 11 small business development centers.
6 12 3. Iowa state university of science and technology
6 13 shall do all of the following:
6 14 a. Direct expenditures for research toward projects
6 15 that will provide economic stimulus for Iowa.
6 16 b. Provide emphasis to providing services to
6 17 Iowa-based companies.
6 18 4. a. It is the intent of the general assembly
6 19 that the industrial incentive program focus on Iowa
6 20 industrial sectors and seek contributions and in-kind
6 21 donations from businesses, industrial foundations, and
6 22 trade associations, and that moneys for the institute
6 23 for physical research and technology industrial
6 24 incentive program shall be allocated only for projects
6 25 which are matched by private sector moneys for directed
6 26 contract research or for nondirected research. The
6 27 match required of small businesses as defined in
6 28 section 15.102, subsection 6, for directed contract
6 29 research or for nondirected research shall be \$1 for
6 30 each \$3 of state funds. The match required for other
6 31 businesses for directed contract research or for
6 32 nondirected research shall be \$1 for each \$1 of state
6 33 funds. The match required of industrial foundations
6 34 or trade associations shall be \$1 for each \$1 of state
6 35 funds.
6 36 b. Iowa state university of science and technology
6 37 shall report annually to the joint appropriations
6 38 subcommittee on economic development and the
6 39 legislative services agency the total amount of
6 40 private contributions, the proportion of contributions
6 41 from small businesses and other businesses, and
6 42 the proportion for directed contract research and
6 43 nondirected research of benefit to Iowa businesses and
6 44 industrial sectors.
6 45 5. Notwithstanding section 8.33, moneys
6 46 appropriated in this section that remain unencumbered
6 47 or unobligated at the close of the fiscal year shall
6 48 not revert but shall remain available for expenditure
6 49 for the purposes designated until the close of the
6 50 succeeding fiscal year.



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7 1 Sec. 11. UNIVERSITY OF NORTHERN IOWA.

7 2 1. There is appropriated from the general fund of

7 3 the state to the university of northern Iowa for the

7 4 fiscal year beginning July 1, 2011, and ending June

7 5 30, 2012, the following amount, or so much thereof as

7 6 is necessary, to be used for the MyEntreNet internet

7 7 application, including salaries, support, maintenance,

7 8 miscellaneous purposes, and for not more than the

7 9 following full-time equivalent positions:

7 10	\$	273,064
7 11	FTEs	3.06

7 12 2. The university of northern Iowa shall do all of

7 13 the following:

7 14 a. Direct expenditures for research toward projects

7 15 that will provide economic stimulus for Iowa.

7 16 b. Provide emphasis to providing services to

7 17 Iowa-based companies.

7 18 3. Notwithstanding section 8.33, moneys

7 19 appropriated in this section that remain unencumbered

7 20 or unobligated at the close of the fiscal year shall

7 21 not revert but shall remain available for expenditure

7 22 for the purposes designated until the close of the

7 23 succeeding fiscal year.

7 24 Sec. 12. BOARD OF REGENTS REPORT. By January

7 25 15, 2012, the state board of regents shall submit a

7 26 report on the progress of regents institutions in

7 27 meeting the strategic plan for technology transfer and

7 28 economic development to the secretary of the senate,

7 29 the chief clerk of the house of representatives, and

7 30 the legislative services agency.

7 31 Sec. 13. DEPARTMENT OF WORKFORCE

7 32 DEVELOPMENT. There is appropriated from the general

7 33 fund of the state to the department of workforce

7 34 development for the fiscal year beginning July 1, 2011,

7 35 and ending June 30, 2012, the following amounts, or

7 36 so much thereof as is necessary, for the purposes

7 37 designated:

7 38 1. DIVISION OF LABOR SERVICES

7 39 a. For the division of labor services, including

7 40 salaries, support, maintenance, miscellaneous

7 41 purposes, and for not more than the following full-time

7 42 equivalent positions:

7 43	\$	3,495,440
7 44	FTEs	62.75

7 45 b. From the contractor registration fees, the

7 46 division of labor services shall reimburse the

7 47 department of inspections and appeals for all costs

7 48 associated with hearings under chapter 91C, relating

7 49 to contractor registration.

7 50 2. DIVISION OF WORKERS' COMPENSATION



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8 1 a. For the division of workers' compensation,
8 2 including salaries, support, maintenance, miscellaneous
8 3 purposes, and for not more than the following full-time
8 4 equivalent positions:
8 5 \$ 2,267,788
8 6 FTEs 29.00
8 7 b. The division of workers' compensation shall
8 8 charge a \$100 filing fee for workers' compensation
8 9 cases. The filing fee shall be paid by the petitioner
8 10 of a claim. However, the fee can be taxed as a cost
8 11 and paid by the losing party, except in cases where
8 12 it would impose an undue hardship or be unjust under
8 13 the circumstances. The moneys generated by the filing
8 14 fee allowed under this subsection are appropriated to
8 15 the department of workforce development to be used for
8 16 purposes of administering the division of workers'
8 17 compensation.
8 18 3. WORKFORCE DEVELOPMENT OPERATIONS
8 19 a. For the operation of field offices, the
8 20 workforce development board, and for not more than the
8 21 following full-time equivalent positions:
8 22 \$ 9,707,042
8 23 FTEs 130.00
8 24 b. The department shall not reduce the number of
8 25 field offices being operated as of January 1, 2009.
8 26 4. OFFENDER REENTRY PROGRAM
8 27 a. For the development and administration of an
8 28 offender reentry program to provide offenders with
8 29 employment skills, and for not more than the following
8 30 full-time equivalent positions:
8 31 \$ 284,464
8 32 FTEs 3.00
8 33 b. The department shall partner with the department
8 34 of corrections to provide staff within the correctional
8 35 facilities to improve offenders' abilities to find and
8 36 retain productive employment.
8 37 5. Notwithstanding section 8.33, moneys
8 38 appropriated in this section that remain unencumbered
8 39 or unobligated at the close of the fiscal year shall
8 40 not revert but shall remain available for expenditure
8 41 for the purposes designated until the close of the
8 42 succeeding fiscal year.
8 43 Sec. 14. ACCOUNTABILITY ==== AUDIT. The auditor of
8 44 state shall annually conduct an audit of the department
8 45 of workforce development and shall report the findings
8 46 of such annual audit, including the accountability
8 47 of programs of the department, to the chairpersons
8 48 and ranking members of the joint appropriations
8 49 subcommittee on economic development. The department
8 50 shall pay for the costs associated with the audit.



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9 1 Sec. 15. EMPLOYMENT SECURITY CONTINGENCY FUND ====

9 2 DIVISION OF WORKERS' COMPENSATION.

9 3 1. There is appropriated from the special

9 4 employment security contingency fund to the department

9 5 of workforce development for the fiscal year beginning

9 6 July 1, 2011, and ending June 30, 2012, the following

9 7 amount, or so much thereof as is necessary, for the

9 8 division of workers' compensation, salaries, support,

9 9 maintenance, and miscellaneous purposes:

9 10 \$ 471,000

9 11 2. Any remaining additional penalty and interest

9 12 revenue is appropriated to the department of

9 13 workforce development to accomplish the mission of the

9 14 department.

9 15 Sec. 16. SPECIAL EMPLOYMENT SECURITY CONTINGENCY

9 16 FUND ==== FIELD OFFICES. There is appropriated from the

9 17 special employment security contingency fund to the

9 18 department of workforce development for the fiscal year

9 19 beginning July 1, 2011, and ending June 30, 2012, the

9 20 following amount, or so much thereof as is necessary,

9 21 to be used for field offices:

9 22 \$ 662,427

9 23 Sec. 17. UNEMPLOYMENT COMPENSATION RESERVE FUND

9 24 ==== FIELD OFFICES. Notwithstanding section 96.9,

9 25 subsection 8, paragraph "e", there is appropriated

9 26 from interest earned on the unemployment compensation

9 27 reserve fund to the department of workforce development

9 28 for the fiscal year beginning July 1, 2011, and ending

9 29 June 30, 2012, the following amount or so much thereof

9 30 as is necessary, for the operation of field offices:

9 31 \$ 4,238,260

9 32 Sec. 18. GENERAL FUND ==== EMPLOYEE MISCLASSIFICATION

9 33 PROGRAM. There is appropriated from the general fund

9 34 of the state to the department of workforce development

9 35 for the fiscal year beginning July 1, 2011, and ending

9 36 June 30, 2012, the following amount, or so much thereof

9 37 as is necessary, to be used for enhancing efforts to

9 38 investigate employers that misclassify workers and

9 39 for not more than the following full-time equivalent

9 40 positions:

9 41 \$ 451,458

9 42 FTEs 8.10

9 43 Sec. 19. APPROPRIATIONS RESTRICTED. The department

9 44 of workforce development shall not use any of the

9 45 moneys appropriated pursuant to this Act for purposes

9 46 of the national career readiness certificate program.

9 47 Sec. 20. PUBLIC EMPLOYMENT RELATIONS BOARD.

9 48 1. There is appropriated from the general fund

9 49 of the state to the public employment relations board

9 50 for the fiscal year beginning July 1, 2011, and ending



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10 1 June 30, 2012, the following amount, or so much thereof
10 2 as is necessary, for salaries, support, maintenance,
10 3 miscellaneous purposes, and for not more than the
10 4 following full-time equivalent positions:
10 5 \$ 1,057,871
10 6 FTEs 9.00
10 7 2. Of the moneys appropriated in this section,
10 8 the board shall allocate \$15,000 for maintaining a
10 9 website that allows searchable access to a database of
10 10 collective bargaining information.
10 11 Sec. 21. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding
10 12 section 96.9, subsection 4, paragraph "a", moneys
10 13 credited to the state by the secretary of the treasury
10 14 of the United States pursuant to section 903 of
10 15 the Social Security Act are appropriated to the
10 16 department of workforce development and shall be
10 17 used by the department for the administration of
10 18 the unemployment compensation program only. This
10 19 appropriation shall not apply to any fiscal year
10 20 beginning after December 31, 2011.
10 21 DIVISION II
10 22 FY 2012=2013
10 23 Sec. 22. DEPARTMENT OF CULTURAL AFFAIRS. There
10 24 is appropriated from the general fund of the state to
10 25 the department of cultural affairs for the fiscal year
10 26 beginning July 1, 2012, and ending June 30, 2013, the
10 27 following amounts, or so much thereof as is necessary,
10 28 to be used for the purposes designated:
10 29 1. ADMINISTRATION
10 30 a. For salaries, support, maintenance,
10 31 miscellaneous purposes, and for not more than the
10 32 following full-time equivalent positions for the
10 33 department:
10 34 \$ 171,813
10 35 FTEs 69.87
10 36 b. The department of cultural affairs shall
10 37 coordinate activities with the tourism office of
10 38 the department of economic development to promote
10 39 attendance at the state historical building and at this
10 40 state's historic sites.
10 41 c. Full-time equivalent positions authorized under
10 42 this subsection shall be funded, in full or in part,
10 43 using moneys appropriated under this subsection and
10 44 subsections 2, 3, 4, 5, 6, and 8.
10 45 2. HISTORICAL DIVISION
10 46 For the support of the historical division:
10 47 \$ 1,767,701
10 48 3. HISTORIC SITES
10 49 For the administration and support of historic
10 50 sites:



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11 1	\$	426,398
11 2	4. ARTS DIVISION		
11 3	For the support of the arts division:		
11 4	\$	993,366
11 5	5. GREAT PLACES		
11 6	For the great places program:		
11 7	\$	193,823
11 8	6. ARCHIVE IOWA GOVERNORS' RECORDS		
11 9	For archiving the records of Iowa governors:		
11 10	\$	5,000
11 11	7. RECORDS CENTER RENT		
11 12	For payment of rent for the state records center:		
11 13	\$	227,243
11 14	8. BATTLE FLAGS		
11 15	For continuation of the project recommended by the		
11 16	Iowa battle flag advisory committee to stabilize the		
11 17	condition of the battle flag collection:		
11 18	\$	5,000
11 19	Sec. 23. GOALS AND ACCOUNTABILITY ==== ECONOMIC		
11 20	DEVELOPMENT.		
11 21	1. For the fiscal year beginning July 1, 2012, the		
11 22	goals for the department of economic development shall		
11 23	be to expand and stimulate the state economy, increase		
11 24	the wealth of Iowans, and increase the population of		
11 25	the state.		
11 26	2. To achieve the goals in subsection 1, the		
11 27	department of economic development shall do all of the		
11 28	following for the fiscal year beginning July 1, 2012:		
11 29	a. Concentrate its efforts on programs and		
11 30	activities that result in commercially viable products		
11 31	and services.		
11 32	b. Adopt practices and services consistent with		
11 33	free market, private sector philosophies.		
11 34	c. Ensure economic growth and development		
11 35	throughout the state.		
11 36	d. Work with businesses and communities to		
11 37	continually improve the economic development climate		
11 38	along with the economic well-being and quality of life		
11 39	for Iowans.		
11 40	e. Coordinate with other state agencies to		
11 41	ensure that they are attentive to the needs of an		
11 42	entrepreneurial culture.		
11 43	f. Establish a strong and aggressive marketing		
11 44	image to showcase Iowa's workforce, existing industry,		
11 45	and potential. A priority shall be placed on		
11 46	recruiting new businesses, business expansion, and		
11 47	retaining existing Iowa businesses. Emphasis shall be		
11 48	placed on entrepreneurial development through helping		
11 49	entrepreneurs secure capital, and developing networks		
11 50	and a business climate conducive to entrepreneurs and		



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12 1 small businesses.
12 2 g. Encourage the development of communities and
12 3 quality of life to foster economic growth.
12 4 h. Prepare communities for future growth and
12 5 development through development, expansion, and
12 6 modernization of infrastructure.
12 7 i. Develop public-private partnerships with
12 8 Iowa businesses in the tourism industry, Iowa tour
12 9 groups, Iowa tourism organizations, and political
12 10 subdivisions in this state to assist in the development
12 11 of advertising efforts.
12 12 j. Develop, to the fullest extent possible,
12 13 cooperative efforts for advertising with contributions
12 14 from other sources.
12 15 Sec. 24. DEPARTMENT OF ECONOMIC DEVELOPMENT.
12 16 1. APPROPRIATION
12 17 There is appropriated from the general fund of the
12 18 state to the department of economic development for the
12 19 fiscal year beginning July 1, 2012, and ending June
12 20 30, 2013, the following amounts, or so much thereof as
12 21 is necessary, to be used for the purposes designated
12 22 in subsection 2, and for not more than the following
12 23 full-time equivalent positions:
12 24 \$ 9,928,058
12 25 FTEs 149.00
12 26 2. DESIGNATED PURPOSES
12 27 a. For salaries, support, miscellaneous purposes,
12 28 programs, and the maintenance of an administration
12 29 division, a business development division, and a
12 30 community development division.
12 31 b. The full-time equivalent positions authorized
12 32 under this section shall be funded, in whole or in
12 33 part, by the moneys appropriated under subsection 1 or
12 34 by other moneys received by the department, including
12 35 certain federal moneys.
12 36 c. For transfer to the Iowa state commission grant
12 37 program.
12 38 d. For business development operations and
12 39 programs, the film office, international trade, export
12 40 assistance, workforce recruitment, and the partner
12 41 state program.
12 42 e. For transfer to the strategic investment fund.
12 43 f. For community economic development programs,
12 44 tourism operations, community assistance, plans
12 45 for Iowa green corps and summer youth programs,
12 46 the mainstreet and rural mainstreet programs, the
12 47 school-to-career program, the community development
12 48 block grant, and housing and shelter-related programs.
12 49 g. For achieving the goals and accountability,
12 50 fulfilling the requirements, and doing all other things



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13 1 required under this Act.
13 2 3. NONREVERSION
13 3 Notwithstanding section 8.33, moneys appropriated in
13 4 subsection 1 that remain unencumbered or unobligated
13 5 at the close of the fiscal year shall not revert but
13 6 shall remain available for expenditure for the purposes
13 7 designated in subsection 2 until the close of the
13 8 succeeding fiscal year.
13 9 4. FINANCIAL ASSISTANCE RESTRICTIONS
13 10 a. A business creating jobs with economic
13 11 development assistance through moneys appropriated in
13 12 this section shall be subject to contract provisions
13 13 stating that new and retained jobs shall be filled
13 14 by individuals who are citizens of the United States
13 15 who reside within the United States or any person
13 16 authorized to work in the United States pursuant to
13 17 federal law, including legal resident aliens in the
13 18 United States.
13 19 b. Any vendor who receives such public moneys shall
13 20 adhere to such contract provisions and provide periodic
13 21 assurances as the state shall require that the jobs
13 22 are filled solely by citizens of the United States
13 23 who reside within the United States or any person
13 24 authorized to work in the United States pursuant to
13 25 federal law, including legal resident aliens in the
13 26 United States.
13 27 c. A business that receives financial assistance
13 28 from the department from moneys appropriated in this
13 29 Act shall only employ individuals legally authorized
13 30 to work in this state. In addition to all other
13 31 applicable penalties provided by current law, all or
13 32 a portion of the assistance received by a business
13 33 which is found to knowingly employ individuals not
13 34 legally authorized to work in this state is subject to
13 35 recapture by the department.
13 36 5. USES OF APPROPRIATIONS
13 37 a. From the moneys appropriated in this section,
13 38 the department may provide financial assistance in the
13 39 form of a grant to a community economic development
13 40 entity for conducting a local workforce recruitment
13 41 effort designed to recruit former citizens of the state
13 42 and former students at colleges and universities in the
13 43 state to meet the needs of local employers.
13 44 b. From the moneys appropriated in this section,
13 45 the department may provide financial assistance to
13 46 early stage industry companies being established by
13 47 women entrepreneurs.
13 48 c. From the moneys appropriated in this section,
13 49 the department may provide financial assistance in the
13 50 form of grants, loans, or forgivable loans for advanced



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14 1 research and commercialization projects involving
14 2 value-added agriculture, advanced technology, or
14 3 biotechnology.
14 4 6. WORLD FOOD PRIZE
14 5 For allocating moneys for the world food prize and
14 6 notwithstanding the standing appropriation in section
14 7 15.368, subsection 1:
14 8 \$ 150,000
14 9 Sec. 25. VISION IOWA PROGRAM ==== FTE
14 10 AUTHORIZATION. For purposes of administrative duties
14 11 associated with the vision Iowa program, the department
14 12 of economic development is authorized an additional
14 13 2.25 FTEs above those otherwise authorized in this Act.
14 14 Sec. 26. INSURANCE ECONOMIC DEVELOPMENT. From
14 15 the moneys collected by the division of insurance in
14 16 excess of the anticipated gross revenues under section
14 17 505.7, subsection 3, during the fiscal year beginning
14 18 July 1, 2012, \$100,000 shall be transferred to the
14 19 department of economic development for insurance
14 20 economic development and international insurance
14 21 economic development.
14 22 Sec. 27. COMMUNITY DEVELOPMENT LOAN
14 23 FUND. Notwithstanding section 15E.120, subsection
14 24 5, there is appropriated from the Iowa community
14 25 development loan fund all moneys available during the
14 26 fiscal year beginning July 1, 2012, and ending June 30,
14 27 2013, to the department of economic development for
14 28 purposes of the community development program.
14 29 Sec. 28. WORKFORCE DEVELOPMENT FUND. There is
14 30 appropriated from the workforce development fund
14 31 account created in section 15.342A to the workforce
14 32 development fund created in section 15.343 for the
14 33 fiscal year beginning July 1, 2012, and ending June
14 34 30, 2013, the following amount, for purposes of the
14 35 workforce development fund, and for not more than the
14 36 following full-time equivalent positions:
14 37 \$ 4,000,000
14 38 FTEs 4.00
14 39 Sec. 29. WORKFORCE DEVELOPMENT
14 40 ADMINISTRATION. From moneys appropriated or
14 41 transferred to or receipts credited to the workforce
14 42 development fund created in section 15.343, up to
14 43 \$400,000 for the fiscal year beginning July 1,
14 44 2012, and ending June 30, 2013, are appropriated
14 45 to the department of economic development for the
14 46 administration of workforce development activities
14 47 including salaries, support, maintenance, and
14 48 miscellaneous purposes, and for not more than the
14 49 following full-time equivalent positions:
14 50 FTEs 4.00



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House Amendment 1658 continued

15 1 Sec. 30. JOB TRAINING FUND. Notwithstanding
15 2 section 15.251, all moneys in the job training fund on
15 3 July 1, 2012, and any moneys appropriated or credited
15 4 to the fund during the fiscal year beginning July 1,
15 5 2012, shall be transferred to the workforce development
15 6 fund established pursuant to section 15.343.

15 7 Sec. 31. IOWA STATE UNIVERSITY.

15 8 1. There is appropriated from the general fund
15 9 of the state to Iowa state university of science
15 10 and technology for the fiscal year beginning July
15 11 1, 2012, and ending June 30, 2013, the following
15 12 amount, or so much thereof as is necessary, to be used
15 13 for small business development centers, the science
15 14 and technology research park, and the institute for
15 15 physical research and technology, and for not more than
15 16 the following full-time equivalent positions:

15 17	\$	935,233
15 18	FTEs	56.63

15 19 2. Of the moneys appropriated in subsection 1,
15 20 Iowa state university of science and technology shall
15 21 allocate at least \$935,233 for purposes of funding
15 22 small business development centers.

15 23 3. Iowa state university of science and technology
15 24 shall do all of the following:

15 25 a. Direct expenditures for research toward projects
15 26 that will provide economic stimulus for Iowa.

15 27 b. Provide emphasis to providing services to
15 28 Iowa-based companies.

15 29 4. a. It is the intent of the general assembly
15 30 that the industrial incentive program focus on Iowa
15 31 industrial sectors and seek contributions and in-kind
15 32 donations from businesses, industrial foundations, and
15 33 trade associations, and that moneys for the institute
15 34 for physical research and technology industrial
15 35 incentive program shall be allocated only for projects
15 36 which are matched by private sector moneys for directed
15 37 contract research or for nondirected research. The
15 38 match required of small businesses as defined in
15 39 section 15.102, subsection 6, for directed contract
15 40 research or for nondirected research shall be \$1 for
15 41 each \$3 of state funds. The match required for other
15 42 businesses for directed contract research or for
15 43 nondirected research shall be \$1 for each \$1 of state
15 44 funds. The match required of industrial foundations
15 45 or trade associations shall be \$1 for each \$1 of state
15 46 funds.

15 47 b. Iowa state university of science and technology
15 48 shall report annually to the joint appropriations
15 49 subcommittee on economic development and the
15 50 legislative services agency the total amount of



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16 1 private contributions, the proportion of contributions
16 2 from small businesses and other businesses, and
16 3 the proportion for directed contract research and
16 4 nondirected research of benefit to Iowa businesses and
16 5 industrial sectors.

16 6 5. Notwithstanding section 8.33, moneys
16 7 appropriated in this section that remain unencumbered
16 8 or unobligated at the close of the fiscal year shall
16 9 not revert but shall remain available for expenditure
16 10 for the purposes designated until the close of the
16 11 succeeding fiscal year.

16 12 Sec. 32. UNIVERSITY OF NORTHERN IOWA.

16 13 1. There is appropriated from the general fund of
16 14 the state to the university of northern Iowa for the
16 15 fiscal year beginning July 1, 2012, and ending June
16 16 30, 2013, the following amount, or so much thereof as
16 17 is necessary, to be used for the MyEntreNet internet
16 18 application, including salaries, support, maintenance,
16 19 miscellaneous purposes, and for not more than the
16 20 following full-time equivalent positions:

16 21	\$	273,064
16 22	FTEs	3.06

16 23 2. The university of northern Iowa shall do all of
16 24 the following:

16 25 a. Direct expenditures for research toward projects
16 26 that will provide economic stimulus for Iowa.

16 27 b. Provide emphasis to providing services to
16 28 Iowa-based companies.

16 29 3. Notwithstanding section 8.33, moneys
16 30 appropriated in this section that remain unencumbered
16 31 or unobligated at the close of the fiscal year shall
16 32 not revert but shall remain available for expenditure
16 33 for the purposes designated until the close of the
16 34 succeeding fiscal year.

16 35 Sec. 33. BOARD OF REGENTS REPORT. By January
16 36 15, 2013, the state board of regents shall submit a
16 37 report on the progress of regents institutions in
16 38 meeting the strategic plan for technology transfer and
16 39 economic development to the secretary of the senate,
16 40 the chief clerk of the house of representatives, and
16 41 the legislative services agency.

16 42 Sec. 34. DEPARTMENT OF WORKFORCE
16 43 DEVELOPMENT. There is appropriated from the general
16 44 fund of the state to the department of workforce
16 45 development for the fiscal year beginning July 1, 2012,
16 46 and ending June 30, 2013, the following amounts, or
16 47 so much thereof as is necessary, for the purposes
16 48 designated:

16 49 1. DIVISION OF LABOR SERVICES

16 50 a. For the division of labor services, including



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17 1 salaries, support, maintenance, miscellaneous
17 2 purposes, and for not more than the following full=time
17 3 equivalent positions:
17 4 \$ 3,495,440
17 5 FTEs 62.75
17 6 b. From the contractor registration fees, the
17 7 division of labor services shall reimburse the
17 8 department of inspections and appeals for all costs
17 9 associated with hearings under chapter 91C, relating
17 10 to contractor registration.
17 11 2. DIVISION OF WORKERS' COMPENSATION
17 12 a. For the division of workers' compensation,
17 13 including salaries, support, maintenance, miscellaneous
17 14 purposes, and for not more than the following full=time
17 15 equivalent positions:
17 16 \$ 2,718,540
17 17 FTEs 29.00
17 18 b. The division of workers' compensation shall
17 19 charge a \$100 filing fee for workers' compensation
17 20 cases. The filing fee shall be paid by the petitioner
17 21 of a claim. However, the fee can be taxed as a cost
17 22 and paid by the losing party, except in cases where
17 23 it would impose an undue hardship or be unjust under
17 24 the circumstances. The moneys generated by the filing
17 25 fee allowed under this subsection are appropriated to
17 26 the department of workforce development to be used for
17 27 purposes of administering the division of workers'
17 28 compensation.
17 29 3. WORKFORCE DEVELOPMENT OPERATIONS
17 30 a. For the operation of field offices, the
17 31 workforce development board, and for not more than the
17 32 following full=time equivalent positions:
17 33 \$ 10,207,042
17 34 FTEs 130.00
17 35 b. The department shall not reduce the number of
17 36 field offices being operated as of January 1, 2009.
17 37 4. OFFENDER REENTRY PROGRAM
17 38 a. For the development and administration of an
17 39 offender reentry program to provide offenders with
17 40 employment skills, and for not more than the following
17 41 full=time equivalent positions:
17 42 \$ 284,464
17 43 FTEs 3.00
17 44 b. The department shall partner with the department
17 45 of corrections to provide staff within the correctional
17 46 facilities to improve offenders' abilities to find and
17 47 retain productive employment.
17 48 5. Notwithstanding section 8.33, moneys
17 49 appropriated in this section that remain unencumbered
17 50 or unobligated at the close of the fiscal year shall



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18 1 not revert but shall remain available for expenditure
18 2 for the purposes designated until the close of the
18 3 succeeding fiscal year.
18 4 Sec. 35. ACCOUNTABILITY ==== AUDIT. The auditor of
18 5 state shall annually conduct an audit of the department
18 6 of workforce development and shall report the findings
18 7 of such annual audit, including the accountability
18 8 of programs of the department, to the chairpersons
18 9 and ranking members of the joint appropriations
18 10 subcommittee on economic development. The department
18 11 shall pay for the costs associated with the audit.
18 12 Sec. 36. EMPLOYMENT SECURITY CONTINGENCY FUND ====
18 13 DIVISION OF WORKERS' COMPENSATION.
18 14 1. There is appropriated from the special
18 15 employment security contingency fund to the department
18 16 of workforce development for the fiscal year beginning
18 17 July 1, 2012, and ending June 30, 2013, the following
18 18 amount, or so much thereof as is necessary, for the
18 19 division of workers' compensation, salaries, support,
18 20 maintenance, and miscellaneous purposes:
18 21 \$ 471,000
18 22 2. Any remaining additional penalty and interest
18 23 revenue is appropriated to the department of
18 24 workforce development to accomplish the mission of the
18 25 department.
18 26 Sec. 37. SPECIAL EMPLOYMENT SECURITY CONTINGENCY
18 27 FUND ==== FIELD OFFICES. There is appropriated from the
18 28 special employment security contingency fund to the
18 29 department of workforce development for the fiscal year
18 30 beginning July 1, 2012, and ending June 30, 2013, the
18 31 following amount, or so much thereof as is necessary,
18 32 to be used for field offices:
18 33 \$ 662,427
18 34 Sec. 38. UNEMPLOYMENT COMPENSATION RESERVE FUND
18 35 ==== FIELD OFFICES. Notwithstanding section 96.9,
18 36 subsection 8, paragraph "e", there is appropriated
18 37 from interest earned on the unemployment compensation
18 38 reserve fund to the department of workforce development
18 39 for the fiscal year beginning July 1, 2012, and ending
18 40 June 30, 2013, the following amount or so much thereof
18 41 as is necessary, for the operation of field offices:
18 42 \$ 1,200,000
18 43 Sec. 39. GENERAL FUND ==== EMPLOYEE MISCLASSIFICATION
18 44 PROGRAM. There is appropriated from the general fund
18 45 of the state to the department of workforce development
18 46 for the fiscal year beginning July 1, 2012, and ending
18 47 June 30, 2013, the following amount, or so much thereof
18 48 as is necessary, to be used for enhancing efforts to
18 49 investigate employers that misclassify workers and
18 50 for not more than the following full-time equivalent



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19 1 positions:
19 2 \$ 521,458
19 3 FTEs 9.10
19 4 Sec. 40. APPROPRIATIONS RESTRICTED. The department
19 5 of workforce development shall not use any of the
19 6 moneys appropriated pursuant to this Act for purposes
19 7 of the national career readiness certificate program.
19 8 Sec. 41. PUBLIC EMPLOYMENT RELATIONS BOARD.
19 9 1. There is appropriated from the general fund
19 10 of the state to the public employment relations board
19 11 for the fiscal year beginning July 1, 2012, and ending
19 12 June 30, 2013, the following amount, or so much thereof
19 13 as is necessary, for salaries, support, maintenance,
19 14 miscellaneous purposes, and for not more than the
19 15 following full-time equivalent positions:
19 16 \$ 1,210,871
19 17 FTEs 10.00
19 18 2. Of the moneys appropriated in this section,
19 19 the board shall allocate \$15,000 for maintaining a
19 20 website that allows searchable access to a database of
19 21 collective bargaining information.
19 22 Sec. 42. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding
19 23 section 96.9, subsection 4, paragraph "a", moneys
19 24 credited to the state by the secretary of the treasury
19 25 of the United States pursuant to section 903 of
19 26 the Social Security Act are appropriated to the
19 27 department of workforce development and shall be
19 28 used by the department for the administration of
19 29 the unemployment compensation program only. This
19 30 appropriation shall not apply to any fiscal year
19 31 beginning after December 31, 2012.>
19 32 #2. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS
RAECKER of Polk, Chairperson
SF517.2596 (4) 84
tw/tm



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House Amendment 1659

PAG LIN

1 1 Amend Senate Concurrent Resolution 7, as passed by
1 2 the Senate, as follows:
1 3 #1. Page 2, by striking lines 11 through 19 and
1 4 inserting:
1 5 <1. All lobbyists shall register with the chief
1 6 clerk of the house and secretary of the senate on or
1 7 before the day their lobbying activity begins. In>
1 8 #2. Page 2, line 23, after <interested,> by
1 9 inserting <and a declaration of>
1 10 #3. By striking page 2, line 30, through page 3,
1 11 line 5, and inserting:
1 12 <2. A declaration on a bill, resolution, or study
1 13 bill shall be filed prior to the lobbyist advocating
1 14 for or against the bill, resolution, or study bill
1 15 or stating that the lobbyist's client is undecided.
1 16 If such a prior declaration is impracticable, a
1 17 declaration shall be made within one working day
1 18 of the commencement of advocating for or against
1 19 the bill, resolution, or study bill or stating that
1 20 the lobbyist's client is undecided. A change to a
1 21 declaration for a bill, resolution, or study bill shall
1 22 be filed within one working day of when the change
1 23 becomes effective.>

COMMITTEE ON ETHICS
KOESTER of Polk, Chairperson
SCR7.2226 (2) 84
tm/rj



Iowa General Assembly
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House Amendment 1660

PAG LIN

1 1 Amend the amendment, H=1658, to Senate File 517,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 1, by striking lines 5 and 6.
1 5 #2. By striking page 10, line 21, through page 19,
1 6 line 31.
1 7 #3. By renumbering as necessary.

RUNNING=MARQUARDT of Linn
H1658.2661 (2) 84
tw/tm



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House Amendment 1661

PAG LIN

1 1 Amend House File 673 as follows:
1 2 #1. By striking everything after the enacting clause
1 3 and inserting:
1 4 <Section 1. Section 427A.1, subsection 1, paragraph
1 5 h, Code 2011, is amended by striking the paragraph and
1 6 inserting in lieu thereof the following:
1 7 h. Property assessed by the department of revenue
1 8 pursuant to any of the following:
1 9 (1) Sections 428.24 to 428.29.
1 10 (2) Chapter 433 if such property is owned by a
1 11 qualifying local exchange carrier, as defined in
1 12 section 433.16.
1 13 (3) Chapter 433 if such property is not owned by
1 14 a qualifying local exchange carrier, as defined in
1 15 section 433.16, and was first assessed for taxation in
1 16 this state before January 1, 1996.
1 17 (4) Chapter 434.
1 18 (5) Chapter 437.
1 19 (6) Chapter 437A.
1 20 (7) Chapter 438.
1 21 Sec. 2. Section 433.4, Code 2011, is amended to
1 22 read as follows:
1 23 433.4 Assessment.
1 24 1. The Except as otherwise provided in section
1 25 433.16, the director of revenue shall on or before
1 26 October 31 each year, proceed to find the actual value
1 27 of the property of these companies in this state that
1 28 are not qualifying local exchange carriers as defined
1 29 in section 433.16, taking into consideration the
1 30 information obtained from the statements required, and
1 31 any further information the director can obtain, using
1 32 the same as a means for determining the actual cash
1 33 value of the property of these companies within this
1 34 state.
1 35 2. The For company property that was first assessed
1 36 for taxation in this state before January 1, 1996,
1 37 the director shall also take into consideration
1 38 the information described in subsection 1 and
1 39 the valuation of all property of these companies,
1 40 including franchises and the use of the property in
1 41 connection with lines outside the state, and making
1 42 these deductions as may be necessary on account of
1 43 extra value of property outside the state as compared
1 44 with the value of property in the state, in order
1 45 that the actual cash value of the property of the
1 46 company within this state may be ascertained. The
1 47 assessment shall include all property of every kind and
1 48 character whatsoever, real, personal, or mixed, used
1 49 by the companies in the transaction of telegraph and
1 50 telephone business; and the property so included in the



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House Amendment 1661 continued

2 1 assessment shall not be taxed in any other manner than
2 2 as provided in this chapter.
2 3 3. For company property that was first assessed for
2 4 taxation in this state on or after January 1, 1996, and
2 5 not otherwise assessed under section 476.1D, subsection
2 6 10, the director shall determine the value of such
2 7 property within this state as follows:
2 8 a. For the assessment years beginning on or after
2 9 January 1, 2012, but before January 1, 2018, the value
2 10 of such property for each company shall equal the sum
2 11 of the value of the property assessed in the manner
2 12 as all other property assessed as commercial property
2 13 pursuant to chapters 427, 427A, 427B, 428, and 441,
2 14 and the telecommunications company adjustment for the
2 15 applicable assessment year.
2 16 b. Each company's base value shall be the total
2 17 assessed value of such company property assessed
2 18 pursuant to section 433.4, Code 2011, for the
2 19 assessment year beginning January 1, 2011. However,
2 20 if the company adds or disposes of an amount of
2 21 such property exceeding ten percent of the company's
2 22 assessed value of such property for the assessment year
2 23 beginning January 1, 2011, or ten percent of the base
2 24 value most recently adjusted under this paragraph, the
2 25 company's base value shall be adjusted to reflect those
2 26 additions or dispositions.
2 27 c. The telecommunications company adjustment shall
2 28 be determined as follows:
2 29 (1) For the assessment year beginning January 1,
2 30 2012, the telecommunications company adjustment shall
2 31 equal eighty=five percent of the difference between
2 32 the company's base value and the assessed value of
2 33 such company property when assessed in the same manner
2 34 as all other property assessed as commercial property
2 35 under chapters 427, 427A, 427B, 428, and 441.
2 36 (2) For the assessment year beginning January 1,
2 37 2013, the telecommunications company adjustment shall
2 38 equal seventy percent of the difference between the
2 39 company's base value and the assessed value of such
2 40 company property when assessed in the same manner as
2 41 all other property assessed as commercial property
2 42 under chapters 427, 427A, 427B, 428, and 441.
2 43 (3) For the assessment year beginning January 1,
2 44 2014, the telecommunications company adjustment shall
2 45 equal fifty=five percent of the difference between the
2 46 company's base value and the assessed value of such
2 47 company property when assessed in the same manner as
2 48 all other property assessed as commercial property
2 49 under chapters 427, 427A, 427B, 428, and 441.
2 50 (4) For the assessment year beginning January 1,



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House Amendment 1661 continued

3 1 2015, the telecommunications company adjustment shall
3 2 equal forty percent of the difference between the
3 3 company's base value and the assessed value of such
3 4 company property when assessed in the same manner as
3 5 all other property assessed as commercial property
3 6 under chapters 427, 427A, 427B, 428, and 441.

3 7 (5) For the assessment year beginning January 1,
3 8 2016, the telecommunications company adjustment shall
3 9 equal twenty-five percent of the difference between
3 10 the company's base value and the assessed value of
3 11 such company property when assessed in the same manner
3 12 as all other property assessed as commercial property
3 13 under chapters 427, 427A, 427B, 428, and 441.

3 14 (6) For the assessment year beginning January
3 15 1, 2017, the telecommunications company adjustment
3 16 shall equal ten percent of the difference between the
3 17 company's base value and the assessed value of such
3 18 company property when assessed in the same manner as
3 19 all other property assessed as commercial property
3 20 under chapters 427, 427A, 427B, 428, and 441.

3 21 d. For the assessment year beginning January
3 22 1, 2018, and each assessment year thereafter, such
3 23 property shall be assessed by the director of revenue
3 24 in the same manner as all other property assessed
3 25 as commercial property by the local assessor under
3 26 chapters 427, 427A, 427B, 428, and 441.

3 27 Sec. 3. NEW SECTION. 433.16 Qualifying local
3 28 exchange carriers === assessment.

3 29 For assessment years beginning on or after January
3 30 1, 2012, the property of qualifying local exchange
3 31 carriers shall be assessed for taxation by the director
3 32 of revenue under the provisions of section 433.4, Code
3 33 2011. For purposes of this section, "qualifying local
3 34 exchange carrier" means a telecommunications company
3 35 that provides local exchange service and has less than
3 36 fifty thousand customer access lines located in this
3 37 state.

3 38 Sec. 4. Section 476.1D, subsection 10, unnumbered
3 39 paragraph 2, Code 2011, is amended by striking the
3 40 unnumbered paragraph.

3 41 Sec. 5. EFFECTIVE DATE.

3 42 1. Except as provided in subsection 2, this Act
3 43 takes effect July 1, 2011.

3 44 2. The section of this Act amending section 476.1D
3 45 takes effect July 1, 2017.

3 46 Sec. 6. APPLICABILITY.

3 47 1. Except as provided in subsection 2, this Act
3 48 applies to assessment years beginning on or after
3 49 January 1, 2012.

3 50 2. The section of this Act amending section 476.1D



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House Amendment 1661 continued

4 1 applies to assessment years beginning on or after
4 2 January 1, 2018.>
4 3 #2. Title page, by striking lines 1 through 3
4 4 and inserting <An Act relating to the assessment of
4 5 telecommunications company property for purposes of
4 6 property taxation, and including effective date and
4 7 applicability provisions.>

SANDS of Louisa
HF673.2650 (6) 84
md/sc/mb



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House Resolution 39 - Introduced

PAG LIN

HOUSE RESOLUTION NO.

BY CHAMBERS, ABDUL-SAMAD, ALONS, ANDERSON, ARNOLD,
BALTIMORE, BAUDLER, BERRY, BRANDENBURG, BYRNES,
COHOON, COWNIE, DE?BOEF, DEYOE, DOLECHECK, DRAKE,
FORRISTALL, FRY, GAINES, GARRETT, GASKILL, GRASSLEY,
HAGENOW, HAGER, HALL, HANSON, HANUSA, HEATON, HEDDENS,
HEIN, HELLAND, HORBACH, HUNTER, ISENHART, IVERSON,
JACOBY, JORGENSEN, KAJTAZOVIC, KAUFMANN, KEARNS,
KELLEY, KLEIN, KOESTER, KRESSIG, LENSING, LOFGREN,
LUKAN, LYKAM, MASCHER, MASSIE, MCCARTHY, H.?MILLER,
L.?MILLER, MOORE, MUHLBAUER, MURPHY, OLDSON, S.?OLSON,
T.?OLSON, PAULSEN, PAUSTIAN, PEARSON, PETTENGILL,
RAECKER, RASMUSSEN, RAYHONS, ROGERS,
RUNNING-MARQUARDT, SANDS, SCHULTE, SCHULTZ, SHAW, J.
SMITH, M. SMITH, SODERBERG, STECKMAN, SWAIM, SWEENEY,
J.?TAYLOR, T.?TAYLOR, THEDE, THOMAS, TJEPKES,
VAN?ENGELLENHOVEN, VANDER?LINDEN, WAGNER, WATTS,
WENTHE, WESSEL-KROESCHELL, WILLEMS, WINCKLER,
WINDSCHITL, WITTNEBEN, WOLFE, and WORTHAN

1 1 A Resolution commemorating the seventieth anniversary
1 2 of the beginning of World War II and honoring all
1 3 World War II veterans.
1 4 WHEREAS, nearly 70 years ago, President Franklin
1 5 Delano Roosevelt announced to Americans that December
1 6 7, 1941, was "a date which will live in infamy"; and
1 7 WHEREAS, on that morning, America was maliciously
1 8 attacked without warning and without provocation
1 9 and more than 2,400 Americans died and 1,100 were
1 10 wounded; and



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House Resolution 39 - Introduced continued

2 1 WHEREAS, the attack on Pearl Harbor changed America
2 2 forever, thrusting the United States into the Second
2 3 World War with Japan, Italy, and Germany; and
2 4 WHEREAS, following the attack, Iowans answered the
2 5 call of service and joined the armed forces in defense
2 6 of freedom, with 262,638 Iowans serving valiantly
2 7 during World War II, with 8,398 laying down their
2 8 lives, and 10 being awarded the Medal of Honor; and
2 9 WHEREAS, during World War II, in some of the darkest
2 10 days of the twentieth century, Iowans proudly served
2 11 the United States, which stood with more than 40 allied
2 12 nations to fight and defeat the enemies of freedom
2 13 across both the Atlantic and Pacific Oceans; and
2 14 WHEREAS, more than 16 million Americans served in
2 15 the military during World War II and more than 400,000
2 16 Americans made the ultimate sacrifice by giving their
2 17 lives in the service of their country and their fellow
2 18 Americans and in the name of freedom everywhere; and
2 19 WHEREAS, all Americans sacrificed on the home front
2 20 by giving up their loved ones and working for the war
2 21 effort, offering valuable support to family members,
2 22 neighbors, and unknown fellow Americans; and
2 23 WHEREAS, we honor the lives lost in the attack on
2 24 Pearl Harbor and salute the veterans of World War II
2 25 by remembering their sacrifices, also paying tribute
2 26 to those now serving America to advance freedom around
2 27 the world; NOW THEREFORE,
2 28 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
2 29 the House of Representatives recognizes December 7,
2 30 2011, as Pearl Harbor Remembrance Day and commemorates



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House Resolution 39 - Introduced continued

3 1 the seventieth anniversary of the United States of
3 2 America entering into World War II; and
3 3 BE IT FURTHER RESOLVED, That all World War II
3 4 survivors be accorded special thanks and recognition
3 5 for their actions in their fight against Nazism,
3 6 fascism, and totalitarianism; and
3 7 BE IT FURTHER RESOLVED, That those killed during
3 8 the war be memorialized so the memories of them do not
3 9 fade; and
3 10 BE IT FURTHER RESOLVED, That all state agencies,
3 11 interested organizations, groups, and individuals
3 12 be encouraged to observe this solemn occasion with
3 13 appropriate ceremonies and activities.
LSB 2772HH (5) 84
jr/rj



Iowa General Assembly
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House Resolution 40 - Introduced

PAG LIN

HOUSE RESOLUTION NO.

BY DE?BOEF, KLEIN, MUHLBAUER, and QUIRK

1 1 A Resolution to honor the service and sacrifice of
1 2 Keokuk County Deputy Sheriff Eric Stein.
1 3 WHEREAS, the recent killing of a local peace officer
1 4 tragically reminds us of the dangers that peace
1 5 officers face every day and the price that is sometimes
1 6 demanded of those who stand in harm's way to protect
1 7 us; and
1 8 WHEREAS, on April 4, 2011, the highest price was
1 9 paid by Sergeant Eric Stein, a Deputy Sheriff in Keokuk
1 10 County and an eleven=year veteran of the Sheriff's
1 11 Department, when he was slain in the line of duty while
1 12 protecting the public; and
1 13 WHEREAS, Sergeant Stein is the first peace officer
1 14 slain in the line of duty in Iowa since 1985; and
1 15 WHEREAS, Sergeant Stein was a career law enforcement
1 16 officer who lived to serve the community as a volunteer
1 17 firefighter, as an emergency medical technician, and
1 18 as a sheriff's deputy; and
1 19 WHEREAS, Sergeant Stein has now been laid to rest,
1 20 leaving behind a nine=year=old daughter, reminding us
1 21 that it is not only the officer who must pay the price
1 22 of law enforcement service; and
1 23 WHEREAS, in honor of his memory, Governor
1 24 Terry Branstad has ordered that flags be flown
1 25 half=staff; NOW THEREFORE,
1 26 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
1 27 That the House of Representatives mourns the loss of
1 28 Sergeant Eric Stein, a true hero, whose service and



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House Resolution 40 - Introduced continued

2 1 sacrifice will not be forgotten; and
2 2 BE IT FURTHER RESOLVED, That the House of
2 3 Representatives extends the condolences of each member
2 4 of the House to Sergeant Stein's young daughter, his
2 5 extended family and friends, the men and women of
2 6 the Keokuk County Sheriff's Department, and to the
2 7 communities of Keokuk County.

LSB 2774HH (3) 84

jr/rj



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House Resolution 41 - Introduced

PAG LIN

HOUSE RESOLUTION NO.

BY ANDERSON, DRAKE, ARNOLD, MASCHER, S.?OLSON,
PETERSEN, and BERRY

1 1 A Resolution reaffirming Iowa's sister=state
1 2 relationship with the Republic of China (Taiwan),
1 3 and encouraging the United States government to
1 4 include Taiwan in the United States Visa Waiver
1 5 Program.
1 6 WHEREAS, the Republic of China (Taiwan) celebrates
1 7 its centennial this year and its National Day on
1 8 October 10, 2011, joining friends and compatriots
1 9 around the world in commemorating 100 years since
1 10 its birth on October 10, 1911, as Asia's first
1 11 Republic; and
1 12 WHEREAS, in the last quarter=century, the Republic
1 13 of China, which exists today on Taiwan, has achieved
1 14 economic and social stability, has been lauded as a
1 15 beacon of democracy for Asia, has dramatically improved
1 16 its record on human rights, and has taken great
1 17 steps forward to enter the world arena as a trusted
1 18 partner, provider of humanitarian aid, promoter of
1 19 cultural ties, and creator of new technologies and
1 20 businesses; and
1 21 WHEREAS, Governor Terry E. Branstad has played an
1 22 important role in cementing the long=standing cordial
1 23 relationship between Iowa and Taiwan, and in 1989
1 24 signed the agreement with Governor Chuang=huan Chiu
1 25 of the Taiwan provincial government that formally
1 26 established sister=state relations; and
1 27 WHEREAS, the relationship between Iowa and Taiwan



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House Resolution 41 - Introduced continued

2 1 has flourished and been beneficial ever since,
2 2 particularly with respect to agricultural trade,
2 3 educational and cultural exchanges, and the hosting of
2 4 reciprocal trade, legislative, and other delegations
2 5 to promote economic and cultural ties, including the
2 6 possible opening of an Iowa state trade office in
2 7 Taipei; and

2 8 WHEREAS, Taiwan is an invaluable friend and
2 9 partner as Taiwan in 2009 ranked as the United States'
2 10 tenth=largest trading partner and fifth=largest market
2 11 for United States agricultural goods and the world's
2 12 fourteenth=largest market for Iowa goods, worth \$94.1
2 13 million in 2009, an increase of 9.4 percent above
2 14 Iowa's exports to Taiwan in 2008; and

2 15 WHEREAS, the Taiwan government has met a central
2 16 requirement for inclusion in the United States Visa
2 17 Waiver Program by achieving a low visa=rejection
2 18 rate of less than 3 percent among Taiwan nationals
2 19 applying for visas to the United States and has
2 20 gained visa=waiver status with 113 other countries
2 21 including the European Union, the United Kingdom and
2 22 Canada, representing 96 percent of the most frequently
2 23 visited countries by citizens of Taiwan, which is an
2 24 increase of 50 countries of those granting Taiwan
2 25 visa=waiver status in just two and one=half years, thus
2 26 symbolizing the growing respect commanded by Taiwan
2 27 internationally; NOW THEREFORE,

2 28 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
2 29 the House of Representatives reaffirms its support of
2 30 the sister=state relations between Iowa and Taiwan; and



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House Resolution 41 - Introduced continued

3 1 urges the United States government to include Taiwan in
3 2 the United States Visa Waiver Program; and
3 3 BE IT FURTHER RESOLVED, That the Chief Clerk of the
3 4 House shall send a copy of this Resolution to Governor
3 5 Terry E. Branstad, United States Secretary of State
3 6 Hillary Rodham Clinton, Junq=Tzer Lin, Governor of the
3 7 Taiwan Provincial Government, and the Taipei Economic
3 8 and Cultural Office in Chicago, Illinois.

LSB 2762HH (6) 84

jr/nh



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House Resolution 42 - Introduced

PAG LIN

HOUSE RESOLUTION NO.

BY ANDERSON, DRAKE, ARNOLD, BERRY, MASCHER, S.?OLSON,
and PETERSEN

1 1 A Resolution to recognize the centennial of the
1 2 establishment of the Republic of China on Taiwan.
1 3 WHEREAS, National Celebration Day, also known as
1 4 Double Ten Day, is celebrated every year on October
1 5 10th to commemorate the 1911 Wuchang Uprising, which
1 6 led to the collapse of the Qing Dynasty in China; and
1 7 WHEREAS, that milestone was quickly followed by the
1 8 establishment of the Republic of China (Taiwan) on
1 9 January 1, 1912, under the leadership of the visionary
1 10 Dr. Sun Yat=sen; and
1 11 WHEREAS, the Republic of China (Taiwan) is both the
1 12 first and the oldest republic in Asia; and
1 13 WHEREAS, the Republic of China (Taiwan) is a vibrant
1 14 democracy and economic powerhouse that protects
1 15 human rights, governs through the rule of law, and
1 16 continually seeks participation in international
1 17 affairs; NOW THEREFORE,
1 18 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
1 19 That the members of the House of Representatives offer
1 20 their congratulations to President Ma Ying=jeou on the
1 21 centennial year of the founding of the Republic of
1 22 China (Taiwan) and a century of social, political, and
1 23 economic achievements; and
1 24 BE IT FURTHER RESOLVED, That the Chief Clerk of
1 25 the House is directed to deliver a copy of this
1 26 resolution to the Taiwan Embassy in the United States
1 27 and to President Ma Ying=jeou of the Republic of China
1 28 (Taiwan).

LSB 2760HH (2) 84

jr/rj



Iowa General Assembly
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House Resolution 43 - Introduced

PAG LIN

HOUSE RESOLUTION NO.

BY ABDUL-SAMAD

1 1 A Resolution to celebrate the centennial of the Trinity
1 2 United Methodist Church building in Des Moines.
1 3 WHEREAS, for over a century Trinity United Methodist
1 4 Church has been a part of the Riverbend community of
1 5 Des Moines, acting as a witness for peace and social
1 6 justice and a haven for compassion, feeding both body
1 7 and soul of those in the community; and
1 8 WHEREAS, Trinity United has been a place of worship,
1 9 a place of Christian education, and a place where
1 10 diverse people are surrounded by a community of love
1 11 and are sent out into the world to put their faith into
1 12 action; and
1 13 WHEREAS, Trinity United embraces three ministries,
1 14 including the Trinity United Methodist Church, Las
1 15 Americas Comunidad de Fe, and Children and Family
1 16 Urban Ministries; and
1 17 WHEREAS, these three ministries offer a variety of
1 18 community programs, including a prison ministry and an
1 19 English-as-a-second-language program; and
1 20 WHEREAS, feeding both the body and soul is most
1 21 evident in the daily work of these ministries, where
1 22 every day some 300 people come through the doors,
1 23 some for a before-school breakfast or an after-school
1 24 program for children and youth, some to learn English,
1 25 some to attend a citizenship class, and some to simply
1 26 get a wholesome meal in these hard times where the
1 27 daily free supper which normally serves around 120
1 28 persons now serves as many as 170 persons; and



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House Resolution 43 - Introduced continued

2 1 WHEREAS, Trinity United Methodist Church can best
2 2 be summed up in the words of one parishioner, "Trinity
2 3 continues to go out of its way to be a beacon and a
2 4 refuge [bringing]? hope to those without hope, joy
2 5 to the sorrowful [and] relief to the marginalized of
2 6 society"; NOW THEREFORE,
2 7 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
2 8 the House of Representatives honors the centennial of
2 9 the Trinity United Methodist Church building as it
2 10 begins its second century of service, and urges the
2 11 people of Des Moines to join the Trinity Centennial
2 12 Celebration, June 11 and 12, 2011, at the landmark
2 13 church, located at the corner of College and 8th
2 14 Streets in Des Moines.

LSB 2755HH (2) 84

jr/rj



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Senate Amendment 3261

PAG LIN

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1 1      Amend the amendment, S=3259, to House File 651, as
1 2 passed by the House, as follows:
1 3 #1.  Page 1, line 12, after <ribbon,> by inserting
1 4 <air force combat action medal,>
1 5 #2.  Page 1, line 18, after <ribbon,> by inserting
1 6 <air force combat action medal,>
1 7 #3.  Page 1, line 22, after <ribbon,> by inserting
1 8 <air force combat action medal,>
1 9 #4.  Page 1, line 27, after <ribbon,> by inserting
1 10 <air force combat action medal,>
1 11 #5.  Page 1, line 35, after <ribbon,> by inserting
1 12 <air force combat action medal,>
1 13 #6.  Page 1, line 44, after <ribbon,> by inserting
1 14 <air force combat action medal,>
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JERRY BEHN
S3259.2645 (2) 84
nh/rj



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Senate Amendment 3262

PAG LIN

1 1 Amend the amendment, S=3259, to House File 651, as
1 2 passed by the House, as follows:
1 3 #1. Page 1, line 5, after <SESQUICENTENNIAL> by
1 4 inserting <AND FALLEN PEACE OFFICERS>
1 5 #2. Page 1, after line 5 by inserting:
1 6 <____. Page 1, line 2, by striking <subsection> and
1 7 inserting <subsections>
1 8 _____. Page 1, after line 20 by inserting:
1 9 <NEW SUBSECTION. 26. Fallen peace officers plates.
1 10 a. Upon application and payment of the proper fees,
1 11 the director may issue fallen peace officers plates to
1 12 an owner of a motor vehicle referred to in subsection
1 13 12.
1 14 b. Fallen peace officers plates shall be designed
1 15 by the department in consultation with the department
1 16 of public safety and concerns of police survivors, inc.
1 17 c. The special fee for letter=number designated
1 18 fallen peace officers plates is thirty=five dollars.
1 19 The fee for personalized fallen peace officers
1 20 plates is twenty=five dollars, which shall be paid
1 21 in addition to the special fallen peace officers
1 22 fee of thirty=five dollars. The fees collected by
1 23 the director under this subsection shall be paid
1 24 monthly to the treasurer of state and deposited in
1 25 the road use tax fund. The treasurer of state shall
1 26 transfer monthly from the statutory allocations fund
1 27 created under section 321.145, subsection 2, to the
1 28 department of public safety the amount of the special
1 29 fees collected in the previous month for the fallen
1 30 peace officers plates and such funds are appropriated
1 31 to the department of public safety. The department
1 32 of public safety shall distribute one hundred percent
1 33 of the funds received monthly in the form of grants
1 34 to nonprofit organizations that provide resources to
1 35 assist in the rebuilding of the lives of surviving
1 36 families and affected coworkers of law enforcement
1 37 officers killed in the line of duty. In the awarding
1 38 of grants, the department of public safety shall give
1 39 first consideration to concerns of police survivors,
1 40 inc., and similar nonprofit organizations providing
1 41 such resources. Notwithstanding section 8.33, moneys
1 42 transferred under this subsection shall not revert to
1 43 the general fund of the state.
1 44 d. Upon receipt of the special registration plates,
1 45 the applicant shall surrender the current registration
1 46 plates to the county treasurer. The county treasurer
1 47 shall validate the special registration plates in
1 48 the same manner as regular registration plates are
1 49 validated under this section. The annual special
1 50 fallen peace officers fee for letter=number designated



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Senate Amendment 3262 continued

2 1 plates is ten dollars, which shall be paid in addition
2 2 to the regular annual registration fee. The annual
2 3 special fee for personalized fallen peace officers
2 4 plates is five dollars, which shall be paid in addition
2 5 to the annual special fallen peace officers fee and
2 6 the regular annual registration fee. The annual
2 7 special fallen peace officers fee shall be credited and
2 8 transferred as provided under paragraph "c".>
2 9 _____. Page 1, line 27, by striking <and 25> and
2 10 inserting <25, and 26>>
2 11 #3. Page 2, line 20, by striking <and special
2 12 military combat plates,> and inserting <special fallen
2 13 peace officers plates, and special military combat
2 14 plates,>
2 15 #4. Page 2, line 21, by striking <an appropriation>
2 16 and inserting <appropriations>
2 17 #5. By renumbering as necessary.

STEVEN SODDERS
S3259.2653 (2) 84
nh/rj



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Senate File 526 - Introduced

SENATE FILE
BY COMMITTEE ON WAYS AND
MEANS

(SUCCESSOR TO SF 458)
(SUCCESSOR TO SSB
1165)

A BILL FOR

1 An Act relating to certain forms of gambling, including
2 horse racing, pari-mutuel wagering, and gambling games,
3 and requiring a study of intrastate internet poker, and
4 including effective date and retroactive applicability
5 provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 2322SZ (5) 84
aw/rj



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Senate File 526 - Introduced continued

PAG LIN

1 1 DIVISION I
1 2 HORSE RACING
1 3 Section 1. Section 99D.7, Code 2011, is amended by adding
1 4 the following new subsection:
1 5 NEW SUBSECTION. 2A. To adopt standards regarding the
1 6 duration of thoroughbred and quarter horse racing seasons,
1 7 so that a thoroughbred racing season shall not be less than
1 8 sixty=seven days, and so that a quarter horse racing season
1 9 shall not be less than twenty=six days. The thoroughbred and
1 10 quarter horse racing seasons shall be run independently unless
1 11 mutually agreed upon by the associations representing the
1 12 thoroughbred and quarter horse owners and the licensee of the
1 13 horse racetrack located in Polk county.
1 14 Sec. 2. Section 99D.7, subsection 4, Code 2011, is amended
1 15 to read as follows:
1 16 4. a. To regulate the purse structure for race meetings
1 17 including establishing a minimum purse.
1 18 b. The commission shall, beginning January 1, 2012, regulate
1 19 the purse structure for all horse racing so that seventy=six
1 20 percent is designated for thoroughbred racing, fifteen and
1 21 one=quarter percent is designated for quarter horse racing, and
1 22 eight and three=quarter percent is designated for standardbred
1 23 racing. The purse moneys designated for standardbred racing
1 24 may only be used to support standardbred harness racing purses
1 25 at the state fair, county fairs, or other harness racing tracks
1 26 approved by the commission, or for the maintenance or repair
1 27 of harness racing tracks at the fairgrounds for such fairs or
1 28 other harness racing tracks approved by the commission. The
1 29 horse racetrack in Polk county shall not provide funding to
1 30 support standardbred racing at such county fairs that is not
1 31 otherwise provided for in this paragraph.
1 32 c. (1) The purse moneys designated for standardbred
1 33 racing shall be payable to a nonprofit corporation operated
1 34 exclusively for those purposes allowed an exempt organization
1 35 under section 501(c)(4) of the Internal Revenue Code, as



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2 1 defined in section 422.3, which was organized under the laws
2 2 of this state on or before January 1, 2008, which exists for
2 3 the promotion of the sport of harness racing in this state, and
2 4 which received supplemental payments from the horse racetrack
2 5 in Polk county for the conduct of harness racing during the
2 6 2010 calendar year. The nonprofit corporation receiving such
2 7 purse moneys shall complete and provide to the commission an
2 8 annual audit and accounting of the allocation of such moneys.

2 9 (2) Of the purse moneys designated for thoroughbred
2 10 racing, two percent shall be distributed to an organization
2 11 representing owners of thoroughbred race horses for the purpose
2 12 of paying the annual operating expenses of the organization
2 13 and for the promotion and marketing of Iowa-bred horses. The
2 14 organization receiving such purse moneys shall complete and
2 15 provide to the commission an annual audit and accounting of the
2 16 allocation of such moneys.

2 17 (3) Of the purse moneys designated for quarter horse
2 18 racing, two percent shall be distributed to an organization
2 19 representing owners of quarter horse race horses for the
2 20 purpose of paying the annual operating expenses of the
2 21 organization and for the promotion and marketing of Iowa-bred
2 22 horses. The organization receiving such purse moneys shall
2 23 complete and provide to the commission an annual audit and
2 24 accounting of the allocation of such moneys.

2 25 Sec. 3. Section 99D.9, subsection 1, Code 2011, is amended
2 26 to read as follows:

2 27 1. If the commission is satisfied that its rules and
2 28 sections 99D.8 through 99D.25 applicable to licensees have been
2 29 or will be complied with, it may issue a license for a period
2 30 of not more than three years. The commission may decide which
2 31 types of racing it will permit. The commission may permit
2 32 dog racing, horse racing of various types, or both dog and
2 33 horse racing. However, only quarter horse and thoroughbred
2 34 racing shall be allowed to be conducted at the horse racetrack
2 35 located in Polk county. The commission shall decide the



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3 1 number, location, and type of all racetracks licensed under
3 2 this chapter. The license shall set forth the name of the
3 3 licensee, the type of license granted, the place where the
3 4 race meeting is to be held, and the time and number of days
3 5 during which racing may be conducted by the licensee. The
3 6 commission shall not approve a license application if any
3 7 part of the racetrack is to be constructed on prime farmland
3 8 outside the city limits of an incorporated city. As used in
3 9 this subsection, "prime farmland" means as defined by the United
3 10 States department of agriculture in 7 C.F.R. { 657.5(a). A
3 11 license is not transferable or assignable. The commission may
3 12 revoke any license issued for good cause upon reasonable notice
3 13 and hearing. The commission shall conduct a neighborhood
3 14 impact study to determine the impact of granting a license on
3 15 the quality of life in neighborhoods adjacent to the proposed
3 16 racetrack facility. The applicant for the license shall
3 17 reimburse the commission for the costs incurred in making the
3 18 study. A copy of the study shall be retained on file with the
3 19 commission and shall be a public record. The study shall be
3 20 completed before the commission may issue a license for the
3 21 proposed facility.

3 22 Sec. 4. Section 99D.11, subsection 2, Code 2011, is amended
3 23 to read as follows:

3 24 2. Licensees shall only permit the pari-mutuel or
3 25 certificate method of wagering, or the advanced deposit method
3 26 of wagering, as defined in this section.

3 27 Sec. 5. Section 99D.11, subsection 3, Code 2011, is amended
3 28 to read as follows:

3 29 3. The licensee may receive wagers of money only from a
3 30 person present in a licensed racetrack enclosure on a horse
3 31 or dog in the race selected by the person making the wager
3 32 to finish first in the race or from a person engaging in
3 33 advanced deposit wagering as defined in this section. The
3 34 person wagering shall acquire an interest in the total money
3 35 wagered on all horses or dogs in the race as first winners in



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Senate File 526 - Introduced continued

4 1 proportion to the amount of money wagered by the person.
4 2 Sec. 6. Section 99D.11, subsection 6, paragraph a, Code
4 3 2011, is amended to read as follows:
4 4 a. All wagering shall be conducted within the racetrack
4 5 enclosure where the licensed race is held, except as provided
4 6 in ~~paragraph~~ paragraphs "b" and "c".
4 7 Sec. 7. Section 99D.11, subsection 6, Code 2011, is amended
4 8 by adding the following new paragraph:
4 9 NEW PARAGRAPH. c. (1) The commission shall authorize
4 10 the licensee of the horse racetrack located in Polk county to
4 11 conduct advanced deposit wagering. An advanced deposit wager
4 12 may be placed in person at a licensed racetrack enclosure, or
4 13 from any other location via a telephone=type device or any
4 14 other electronic means. The commission may also issue an
4 15 advanced deposit wagering operator license to an entity who
4 16 complies with subparagraph (3) and section 99D.8A.
4 17 (2) For the purposes of this section, "advanced deposit
4 18 wagering" means a method of pari=mutuel wagering in which an
4 19 individual may establish an account, deposit money into the
4 20 account, and use the account balance to pay for pari=mutuel
4 21 wagering. Of the net revenue, less all taxes paid and expenses
4 22 directly related to account deposit wagering incurred by
4 23 the licensee of the horse racetrack located in Polk county,
4 24 received through advanced deposit wagering, fifty percent shall
4 25 be designated for the horse purses created pursuant to section
4 26 99D.7, subsection 4, and fifty percent shall be designated for
4 27 the licensee for the pari=mutuel horse racetrack located in
4 28 Polk county.
4 29 (3) Before granting an advanced deposit wagering operator
4 30 license to an entity other than the licensee of the horse
4 31 racetrack located in Polk county, the commission shall enter
4 32 into an agreement with the licensee of the horse racetrack
4 33 located in Polk county, the Iowa horsemen's benevolent and
4 34 protective association, and the prospective advanced deposit
4 35 wagering operator for the purpose of determining the payment



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5 1 of statewide source market fees and the host fees to be paid on
5 2 all races subject to advanced deposit wagering. The commission
5 3 shall establish the term of such an advance deposit wagering
5 4 operator license. Such an advanced deposit wagering operator
5 5 licensee shall accept wagers on live races conducted at the
5 6 horse racetrack in Polk county from all of its account holders
5 7 if it accepts wagers from any residents of this state.

5 8 (4) An unlicensed advanced deposit wagering operator or an
5 9 individual taking or receiving wagers from residents of this
5 10 state on races conducted at the horse racetrack located in Polk
5 11 county is guilty of a class "D" felony.

5 12 (5) For the purposes of this paragraph "c", "advanced
5 13 deposit wagering operator" means an advanced deposit wagering
5 14 operator licensed by the commission who has entered into an
5 15 agreement with the licensee of the horse racetrack in Polk
5 16 county and the Iowa horsemen's benevolent and protective
5 17 association to provide advanced deposit wagering.

5 18 Sec. 8. Section 99D.22, subsection 1, Code 2011, is amended
5 19 to read as follows:

5 20 1. a. A licensee shall hold at least one race on each
5 21 racing day limited to Iowa=foaled horses or Iowa=whelped
5 22 dogs as defined by the department of agriculture and land
5 23 stewardship using standards consistent with this section.
5 24 However, if sufficient competition cannot be had among that
5 25 class of horses or dogs on any day, another race for the day may
5 26 be substituted.

5 27 b. A sum equal to twelve percent of the purse won by
5 28 an Iowa=foaled horse or Iowa=whelped dog shall be used to
5 29 promote the horse and dog breeding industries. The twelve
5 30 percent shall be withheld by the licensee from the breakage
5 31 and shall be paid at the end of the race meeting to the state
5 32 department of agriculture and land stewardship which in turn
5 33 shall deposit it in a special fund to be known as the Iowa horse
5 34 and dog breeders fund. The department shall pay the amount
5 35 deposited in the fund that is withheld from the purse won by



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6 1 an Iowa=foaled horse to the breeder of the winning Iowa=foaled
6 2 horse by December 31 of each calendar year. The department
6 3 shall pay the amount deposited in the fund that is withheld
6 4 from the purse won by an Iowa=whelped dog to the breeder of the
6 5 winning Iowa=whelped dog by March 31 of each calendar year.
6 6 For the purposes of this section, the breeder of a horse shall
6 7 be considered to be the owner of the brood mare at the time the
6 8 foal is dropped.

6 9 c. No less than twenty percent of all net purse moneys
6 10 distributed to each breed, as described in section 99D.7,
6 11 subsection 4, paragraph "b", shall be designated for registered
6 12 Iowa=bred foals in the form of breeder's awards or purse
6 13 supplement awards to enhance and foster the growth of the horse
6 14 breeding industry.

6 15 Sec. 9. Section 99F.6, subsection 4, paragraph a, Code 2011,
6 16 is amended to read as follows:

6 17 a. (1) Before a license is granted, the division of
6 18 criminal investigation of the department of public safety
6 19 shall conduct a thorough background investigation of the
6 20 applicant for a license to operate a gambling game operation
6 21 on an excursion gambling boat. The applicant shall provide
6 22 information on a form as required by the division of criminal
6 23 investigation.

6 24 (2) A qualified sponsoring organization licensed to operate
6 25 gambling games under this chapter shall distribute the receipts
6 26 of all gambling games, less reasonable expenses, charges,
6 27 taxes, fees, and deductions allowed under this chapter, as
6 28 winnings to players or participants or shall distribute the
6 29 receipts for educational, civic, public, charitable, patriotic,
6 30 or religious uses as defined in section 99B.7, subsection 3,
6 31 paragraph "b". However, a licensee to conduct gambling games
6 32 under this chapter shall, unless an operating agreement for an
6 33 excursion gambling boat otherwise provides, distribute at least
6 34 three percent of the adjusted gross receipts for each license
6 35 year for educational, civic, public, charitable, patriotic,



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7 1 or religious uses as defined in section 99B.7, subsection 3,
7 2 paragraph "b". However, if a licensee who is also licensed to
7 3 conduct pari=mutuel wagering at a horse racetrack has unpaid
7 4 debt from the pari=mutuel racetrack operations, the first
7 5 receipts of the gambling games operated within the racetrack
7 6 enclosure less reasonable operating expenses, taxes, and fees
7 7 allowed under this chapter shall be first used to pay the
7 8 annual indebtedness.

7 9 (3) The commission shall authorize, subject to the debt
7 10 payments for horse racetracks and the provisions of paragraph
7 11 "b" for dog racetracks, a licensee who is also licensed to
7 12 conduct pari=mutuel dog or horse racing to use receipts from
7 13 gambling games within the racetrack enclosure to supplement
7 14 purses for races particularly for Iowa=bred horses pursuant to
7 15 an agreement which shall be negotiated between the licensee and
7 16 representatives of the dog or horse owners. For agreements
7 17 subject to commission approval concerning purses for horse
7 18 racing beginning on or after January 1, 2006, ~~and ending~~
~~7 19 before January 1, 2021,~~ the agreements shall provide that
7 20 total annual purses for all horse racing shall be no less
7 21 than eleven percent of the first two hundred million dollars
7 22 of net receipts, and six percent of net receipts above two
7 23 hundred million dollars. In addition, live standardbred horse
7 24 racing shall not be conducted at the horse racetrack in Polk
7 25 county, but the purse moneys designated for standardbred racing
7 26 pursuant to section 99D.7, subsection 4, paragraph "b", shall be
7 27 included in calculating the total annual purses required to be
7 28 paid pursuant to this subsection. Agreements that are subject
7 29 to commission approval concerning horse purses for a particular
7 30 period of time beginning on or after January 1, 2006, and
~~7 31 ending before January 1, 2021,~~ shall be jointly submitted to
7 32 the commission for approval.

7 33 (4) A qualified sponsoring organization shall not make a
7 34 contribution to a candidate, political committee, candidate's
7 35 committee, state statutory political committee, county



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8 1 statutory political committee, national political party, or
8 2 fund-raising event as these terms are defined in section
8 3 68A.102. The membership of the board of directors of a
8 4 qualified sponsoring organization shall represent a broad
8 5 interest of the communities.
8 6 (5) For purposes of this paragraph, "net receipts" means the
8 7 annual adjusted gross receipts from all gambling games less the
8 8 annual amount of money pledged by the owner of the facility to
8 9 fund a project approved to receive vision Iowa funds as of July
8 10 1, 2004.

8 11 DIVISION II
8 12 COUNTY REFERENDUMS AND
8 13 GAMBLING GAME LICENSING

8 14 Sec. 10. Section 99F.4A, subsection 8, paragraph a, Code
8 15 2011, is amended to read as follows:

8 16 a. The commission shall, upon the immediate payment
8 17 of the applicable table games license fee and submission
8 18 to the commission by June 1, 2005, of an application by a
8 19 licensee of a pari-mutuel dog or horse racetrack licensed to
8 20 conduct gambling games at a pari-mutuel racetrack enclosure,
8 21 issue a license to the licensee to conduct table games of
8 22 chance, including video machines that simulate table games
8 23 of chance, at the pari-mutuel racetrack enclosure subject to
8 24 the requirements of this subsection. However, a table games
8 25 license may only be issued to a licensee required to pay a
8 26 table games license fee of three million dollars under this
8 27 subsection if the licensee, and all other licensees of an
8 28 excursion gambling boat in that county, file an agreement
8 29 with the commission authorizing the granting of a table games
8 30 license under this subsection and permitting all licensees
8 31 of an excursion gambling boat to operate a moored barge as
8 32 of a specific date. The licensee shall be granted a table
8 33 games license by the commission ~~without conducting a separate~~
~~8 34 referendum authorizing table games~~ upon payment of the
8 35 applicable license fee to the commission which table games



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9 1 license fee may be offset by the licensee against taxes imposed
9 2 on the licensee by section 99F.11, to the extent of twenty
9 3 percent of the table games license fee paid pursuant to this
9 4 subsection for each of five consecutive fiscal years beginning
9 5 with the fiscal year beginning July 1, 2008. Fees paid
9 6 pursuant to this subsection are not refundable to the licensee.
9 7 A licensee shall not be required to pay a fee to renew a table
9 8 games license issued pursuant to this subsection. Moneys
9 9 collected by the commission from a table games license fee paid
9 10 under this subsection shall be deposited in the rebuild Iowa
9 11 infrastructure fund created in section 8.57.

9 12 Sec. 11. Section 99F.7, subsection 11, paragraphs a, b, d,
9 13 and e, Code 2011, are amended to read as follows:

9 14 a. A license to conduct gambling games ~~on an excursion~~
~~9 15 gambling boat~~ in a county shall be issued only if the county
9 16 electorate approves the conduct of the gambling games as
9 17 provided in this subsection. The board of supervisors, upon
9 18 receipt of a valid petition meeting the requirements of section
9 19 331.306, and subject to the requirements of paragraph "e",
9 20 shall direct the commissioner of elections to submit to the
9 21 registered voters of the county a proposition to approve or
9 22 disapprove the conduct of gambling games ~~on an excursion~~
~~9 23 gambling boat~~ in the county. The proposition shall be
9 24 submitted at an election held on a date specified in section
9 25 39.2, subsection 4, paragraph "a". To be submitted at a
9 26 general election, the petition must be received by the board
9 27 of supervisors at least five working days before the last day
9 28 for candidates for county offices to file nomination papers
9 29 for the general election pursuant to section 44.4. If a
9 30 majority of the county voters voting on the proposition favor
9 31 the conduct of gambling games, the commission may issue one or
9 32 more licenses as provided in this chapter. If a majority of
9 33 the county voters voting on the proposition do not favor the
9 34 conduct of gambling games, a license to conduct gambling games
9 35 in the county shall not be issued.



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10 1 b. If ~~licenses~~ a license to conduct gambling games ~~and~~
10 2 ~~to operate an excursion gambling boat are~~ is in effect
10 3 pursuant to a referendum as set forth in this section and ~~are~~
10 4 ~~is~~ subsequently disapproved by a referendum of the county
10 5 electorate, the ~~licenses~~ license issued by the commission after
10 6 a referendum approving gambling games ~~on excursion gambling~~
10 7 ~~boats~~ shall remain valid and ~~are~~ is subject to renewal for a
10 8 total of nine years from the date of original issue ~~or one~~
10 9 year from the date of the referendum disapproving the conduct
10 10 of gambling games, whichever is later, unless the commission
10 11 revokes a license at an earlier date as provided in this
10 12 chapter.

10 13 d. If the proposition to operate gambling games ~~on an~~
10 14 ~~excursion gambling boat or at a racetrack enclosure~~ is
10 15 approved by a majority of the county electorate voting on the
10 16 proposition, the board of supervisors shall submit ~~the same~~
10 17 ~~a proposition requiring the approval or defeat of gambling~~
10 18 ~~games to the county electorate at the general election held in~~
10 19 ~~2002 and, unless the operation of gambling games is terminated~~
10 20 ~~earlier as provided in this chapter or chapter 99D, at the~~
10 21 ~~general election held at each subsequent eight-year interval~~
10 22 ~~as provided in paragraph "e", unless the operation of gambling~~
10 23 ~~games is terminated earlier as provided in this chapter or~~
10 24 ~~chapter 99D. However, if a proposition to operate gambling~~
10 25 ~~games is approved by a majority of the county electorate voting~~
10 26 ~~on the proposition in two successive elections, a subsequent~~
10 27 ~~submission and approval of a proposition under this subsection~~
10 28 ~~shall not thereafter be required to authorize the conduct of~~
10 29 ~~gambling games pursuant to this chapter.~~

10 30 e. After a referendum has been held which approved or
10 31 defeated a proposal to conduct gambling games ~~on excursion~~
10 32 ~~gambling boats or which defeated a proposal to conduct gambling~~
10 33 ~~games at a licensed pari-mutuel racetrack enclosure as provided~~
10 34 ~~in this section, another referendum on a proposal to conduct~~
10 35 ~~gambling games on an excursion gambling boat or at a licensed~~



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~~11 1 pari-mutuel racetrack shall not be held for at least eight~~
~~11 2 years until the eighth calendar year thereafter.~~

11 3 Sec. 12. Section 99F.7, subsection 15, Code 2011, is amended
11 4 to read as follows:

11 5 15. If a licensed excursion boat stops at more than one
11 6 harbor and travels past a county without stopping at any port
11 7 in that county, the commission shall require the excursion boat
11 8 operator to develop a schedule for ports of call ~~in which a~~
~~11 9 county referendum has been approved, and the port of call has~~
~~11 10 that have~~ the necessary facilities to handle the boat. The
11 11 commission may limit the schedule to only one port of call per
11 12 county.

11 13 Sec. 13. EFFECTIVE UPON ENACTMENT. This division of this
11 14 Act, being deemed of immediate importance, takes effect upon
11 15 enactment.

11 16 Sec. 14. RETROACTIVE APPLICABILITY. This division of this
11 17 Act applies retroactively to elections occurring on or after
11 18 January 1, 1994.

11 19 DIVISION III
11 20 REPORT ON THE POSSIBLE REGULATION
11 21 OF INTRASTATE INTERNET POKER

11 22 Sec. 15. The administrator of the state racing and gaming
11 23 commission shall prepare a report for delivery to the general
11 24 assembly no later than December 1, 2011, regarding the
11 25 creation of a framework for the state regulation of intrastate
11 26 internet poker. The report shall consider the current state of
11 27 unregulated internet poker play in Iowa, consumer protection,
11 28 and responsible gaming measures that can be implemented through
11 29 regulation, licensing structures, regulatory recommendations,
11 30 affiliations with licensees regulated under chapter 99F, and
11 31 the collection of wagering taxes. The administrator may
11 32 consult with licensees regulated under chapter 99F, with
11 33 potential internet poker hub operators, and with any other
11 34 interested parties in the preparation of the report. The
11 35 administrator shall not be required within the report to



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12 1 make specific recommendations regarding the legalization of
12 2 intrastate internet poker in Iowa.

12 3 EXPLANATION

12 4 This bill relates to gambling within the state.

12 5 DIVISION I. The bill would allow for gambling games at
12 6 pari-mutuel facilities to be used to supplement racing purses
12 7 in perpetuity. Current law requires that such supplements end
12 8 before 2021.

12 9 The bill requires that the Iowa racing and gaming commission
12 10 adopt standards for the length of the thoroughbred and quarter
12 11 horse racing seasons, so that the thoroughbred racing season
12 12 shall not be less than 67 days in duration and so that the
12 13 quarter horse racing season shall not be less than 26 days in
12 14 duration. The thoroughbred and quarter horse racing seasons
12 15 must be run independently unless mutually agreed upon by the
12 16 representative associations of thoroughbred and quarter horse
12 17 owners and the licensee of the horse racetrack in Polk county.

12 18 The bill requires that no less than 20 percent of all net
12 19 purse moneys distributed to each breed must be designated
12 20 for certain purposes to foster the growth of the Iowa horse
12 21 breeding industry. The bill also sets requirements for the
12 22 proportionate use of horse purses, so that 76 percent of purse
12 23 funds are designated for thoroughbred races, 15.25 percent of
12 24 purse funds are designated for quarter horse races, and 8.75
12 25 percent of purse funds are designated for standardbred races.
12 26 The racing and gaming commission is required to regulate these
12 27 purse structures beginning January 1, 2012.

12 28 The bill provides that moneys designated for standardbred
12 29 racing can only be used to support harness racing and
12 30 harness racing facilities at county fairs, the state fair,
12 31 or other harness racing tracks approved by the commission.
12 32 The bill also prohibits the horse racetrack in Polk county
12 33 from contributing other funding for such racing that is not
12 34 otherwise provided for under the purse structure designations
12 35 of the bill.



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13 1 The bill requires that the purse moneys designated for
13 2 standardbred racing be payable to a nonprofit corporation
13 3 meeting certain criteria.
13 4 The bill requires that 2 percent of moneys designated
13 5 for thoroughbred racing be distributed to an organization
13 6 representing thoroughbred owners, to be used for certain
13 7 purposes.
13 8 The bill also requires that 2 percent of moneys designated
13 9 for quarter horse racing be distributed to an organization
13 10 representing quarter horse owners, to be used for certain
13 11 purposes.
13 12 The bill permits advanced deposit wagering for the
13 13 pari-mutuel licensee of the racetrack in Polk County. The
13 14 bill also allows the commission to issue advanced deposit
13 15 wagering operation licenses to entities which have entered
13 16 into an agreement with the commission, the licensee of the
13 17 horse racetrack in Polk county, and the Iowa horsemen's
13 18 benevolent and protective association. Such entities must also
13 19 meet the requirements of a licensee pursuant to Code section
13 20 99D.8A relating to applicant qualifications, inspections, and
13 21 investigations. The bill provides that an unlicensed advanced
13 22 deposit wagering operator or an individual taking wagers from
13 23 Iowa residents on races conducted at the horse racetrack in
13 24 Polk county is guilty of a class "D" felony. The bill also
13 25 provides a definition of an advanced deposit wagering operator.
13 26 The bill would allow for an advanced deposit wager to be
13 27 placed in person at a licensed racetrack enclosure or from any
13 28 other location by telephone or other electronic means. In this
13 29 form of wagering an individual creates an account, deposits
13 30 money into that account, and can use the balance within the
13 31 account for pari-mutuel wagering. The bill specifies that 50
13 32 percent of the net revenue from advanced deposit wagering be
13 33 distributed to certain race purses and the other 50 percent be
13 34 directed to the licensee for the pari-mutuel horse racetrack
13 35 in Polk county.



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14 1 The bill would prohibit live standardbred horse racing
14 2 by the licensee for the pari-mutuel horse racetrack in Polk
14 3 county, but requires that certain purse moneys designated for
14 4 standardbred racing be included in calculating total annual
14 5 purses.

14 6 DIVISION II. The bill alters certain language regarding
14 7 licensing for the conduct of gambling games and referendum
14 8 requirements for the conduct of such games in a county.

14 9 The bill provides, if a license to conduct gambling games
14 10 anywhere in a county is in effect and gambling is later
14 11 disapproved by referendum, that the license will remain valid
14 12 for a total of nine years from issuance or one year from
14 13 the date of the referendum, whichever is later. Current law
14 14 requires only that the license will remain valid for a total of
14 15 nine years from issuance.

14 16 The bill provides, after a referendum has passed, that
14 17 approved or defeated gambling games, another referendum must
14 18 not be held for eight years. The bill also provides, if a
14 19 simple majority of voters in two successive elections approve
14 20 of such games, that future referendums will not be required.

14 21 Current law provides that the proposition to conduct gambling
14 22 games shall be resubmitted to the county electorate every eight
14 23 years. The bill requires that a county board of supervisors
14 24 direct the commissioner of elections to submit a proposition to
14 25 approve or disapprove of gambling games within the county upon
14 26 receipt of a petition which meets the criteria contained within
14 27 Code section 331.306, but a referendum shall not be held until
14 28 the eighth calendar year following a prior referendum. Current
14 29 law only requires that petition meet the criteria contained
14 30 within Code section 331.306. This division of the bill,
14 31 relating to county referendums and gambling game licensing, is
14 32 effective upon enactment and applies retroactively to January
14 33 1, 1994.

14 34 DIVISION III. The bill requires the administrator of
14 35 the state racing and gaming commission to prepare a report



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15 1 regarding the creation of a framework for the state regulation
15 2 of intrastate internet poker. The report shall be prepared
15 3 for delivery to the general assembly no later than December
15 4 1, 2011. The report shall consider the current state of
15 5 unregulated internet poker play in the state, consumer
15 6 protections, responsible gaming measures, licensing structures,
15 7 regulatory recommendations, certain affiliations, and tax
15 8 collection. The bill allows the administrator to consult with
15 9 licensees, with potential internet poker hub operators, and
15 10 with other interested parties in preparing this report. The
15 11 administrator is not required to make specific recommendations
15 12 regarding the legalization of intrastate internet poker within
15 13 this report.

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